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Contents

Editorial Notes 24
Editorial Leaders .....
Dealing with Germany 27
Hostages to Peace 28
China Pays 30
General Articles .....
Shall the Judges Make the Laws?...Morris R. Cohen 31
Russian Defeat in the Carpathians..Frank H. Simonds 33
In Justice to Judge Lindsey.....Charles A. Beard 35
Two Workers in the Vineyard...Walter Cuthbert Helps 37
Fit to Dine With Her 39
Two Communications .....
Vocational Education 40
Education vs. Trade-Training—Dr. Dewey's Reply .. 42
Correspondence 43
Verse: Ode in Time of Battle.....Dudley Poore 45
The Excavation.....Max Eastman 45
Drama: The Actor's Dilemma.....Francis Hackett 46
Books and Things.....P. L. 47
Reviews of Books .....
Mr. Fletcher's Verse.....Amy Lowell 48
The Failing Church.....R. S. B. 49
Spiritual Poverty 50
How Pierre Loti is Translated 50

THE loss of over one hundred American and over one thousand British lives on the Lusitania throws into clear relief one fact of overwhelming importance. It emphasizes above all the existing commercial and political dependence of the United States on Great Britain. If the German submarine campaign should be successful and British sea-power be rendered ineffective for the protection of trade routes, the disaster which threatened the British Empire would be in large measure shared by the United States. The existing dependence of this country on British maritime supremacy for its prosperity and even its safety is complete, and under the present critical conditions appalling. American exports and imports are carried almost entirely in British bottoms. American citizens are obliged to reach Europe on ships flying the British flag. The Monroe Doctrine has been allowed to flourish under the benevolent protection of British sea-power. The British fleet affords the only real guarantee for the security of the Panama Canal, which means that Great Britain could take it when she pleased. We have drifted into this situation without realizing its risks and its consequences. One great object of the German submarine campaign has been to force American public opinion to realize the implications of American dependence on British maritime supremacy. Germany doubtless wants to induce the United States to issue a new declaration of independence, to build a merchant marine large enough to carry its foreign commerce, and a fleet large enough to protect its merchant marine and the Panama Canal. Such plans may eventually succeed, but they are more likely to fail. They present American public opinion not with a categorical imperative but with a momentous issue. On the one hand the United States can make itself independent not only of Great Britain but of Great Britain's enemies, by building vessels of commerce and war in competition with the mistress of the seas. On the other it can reach some kind of an understanding with Great Britain which would enable us to avoid the economic and moral expense of competing with that country. Such an understanding would not mean a mere regularizing of the existing condition of dependence. It would mean an attempt to convert a precarious dependence into a more substantial interdependence—one that would bring with it an effective and equitable distribution of mutual rights and responsibilities, and one that ought to constitute a first step in the direction of the ultimate internationalizing of sea-power. Such is the real issue raised by the fatal explosion off the south coast of Ireland, which has united Englishmen and Americans in a common grief and a common indignation, and which may unite them in a common war and conceivably even in a common destiny.

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OFFICIAL German apologists are attempting to justify the sinking of the Lusitania as in effect a proper reprisal for the seizure of the Wilhelmina and for the Order in Council. The justification justifies nothing. It makes a pitiably insufficient answer to the deliberate slaughter of one hundred and ten innocent American citizens. But as a matter of dialectic it brings out the weakness of the position of the British government and of those American sympathizers with England who would have accepted without protest British treatment of neutral trade. The British can be righteously indignant at the barbarism of indiscriminately butchering non-combatants, but the less they say about the illegality of the German submarine policy the better. They have used this plea of military necessity to justify their breaking of international law just as Germany has done; and the plea has as much validity in one case as in the other. The peculiar strength of the official American position at this moment consists in the firmness and the finality with which it has resisted the attempt on the part of both belligerents to write their own national policies and interests into public law. If we had allowed the Order in Council to pass without protest, the weight of our technical argument against the German submarine policy would have been very much enfeebled. The American case is impregnable at the present time just because we have consistently insisted that what is sauce for the goose is sauce for the gander.

THE agitation of the past week has served to obscure for the American public the increasingly critical character of the relations between Italy and her former allies. The negotiations which have been carried on during the winter and spring between Rome, Berlin and Vienna have come to a head. Italy has been trying to obtain from Austria comprehensive and substantial concessions to Italian national ambitions. The full scope and incidence of these demands have been kept a profound diplomatic secret, but presumably they have included not merely the Trentino, but some kind of an arrangement with respect to Trieste, the Dalmatian coast, Albania, and perhaps Asia Minor. How much of a difference there was between the most that Austria was willing to grant and the least that Italy was willing to accept can only be a guess, but probably the difference was large. Italy has been tempted as a result of the existing balance of military power between the belligerents to try and extort without war as much as she could expect to gain as the result of decisive victory of the Italian army. If a nation yields to such a temptation it nearly always means war. Italy has been dwelling not on what Germany and Austria could be reasonably expected to concede, but on what the Italian army under the most favorable possible circumstances could be expected to conquer and hold. Even in their present plight Germany and Austria would prefer to add another enemy to the list than to yield the fruits of defeat without actually having been defeated. It would be premature to pass on the merits of the negotiations and the controversy between Berlin, Vienna and Rome until much is known about the nature of the Italian demands and the Austrian concessions. All that can be said at present is that it looks like war, and that Italian participation in the war may well be decisive and bring it to a comparatively early conclusion. The very man who has been conducting the negotiations for Germany and Austria at Rome predicted in advance the failure of any attempt at conciliation. "Austria and Italy," says von Bülow in his "Imperial Germany," "can only be either allies or enemies."

IT is easier to understand the present German bitterness against the United States when it is borne in mind that if we were to fight Germany we should be only doing in war what we are already doing in peace. We are now arming the French and Russians, and if we declare war to-morrow we shall continue to arm the French and Russians. It would be a favor to the Germans to deprive their immediate enemies of American bullets, which now kill German soldiers in Flanders and Champagne, and use those bullets at target practice in Maryland and Kansas. But it would be shortsighted to believe that a war against America would be of no disadvantage to Germany, for what we are now doing incidentally we would then do with all our might. We would seek victory, not glory, and would turn our entire resources of credit, capital and industrial productiveness into the bolstering up of the enemies of Germany, in much the same way that Pitt bolstered up Napoleon's enemies over a century ago. To add a nation of one hundred millions to the growing list of her enemies might mean no immediate disadvantage to Germany, but would make her ultimate downfall inevitable. If, as does not seem probable, she does force us into war, it will be a sign that she already regards the situation as hopeless.

A LARGE number of indictments were handed down the other day in New York against gangsters alleged to have been "in cahoots" with certain union officials in the East Side of New York. The evidence comes as a result of a confession by "Dopey Benny," a gentleman who has

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been "squealing" because his friends have refused to bail him out. Of the particular evidence in this case we cannot now speak. But that conditions similar to those described do exist in many trades no one acquainted with the facts would pretend to deny. One piece of naïveté, however, stated in all the newspapers, may as well be exposed at once. It is said that no employers hired thugs or gangsters. Yet not many months ago the Police Commissioner of New York gave out an interview in which he stated that but for the support given to gangsters both by politicians and employers it would be much easier for the police to deal with them. The investigation therefore should not content itself with catching a few small labor men and gangsters. It should investigate the employers as well. It ought not to stop even there. What the police are uncovering is not cases of individual crime or even of group crime. They are simply uncovering the conditions under which the labor struggle is waged in the present disorganized state of industry. The real trouble can never be dealt with by the method of indictment and punishment. The trouble with these industries is the trouble with the chronically corrupt and violent states like Hayti. They have no habit of political responsibility, no adequate and decent method of redressing wrong, no real method of meeting the problems of the trade. "Dopey Benny" is revealing nothing but the normal results of industrial anarchy.

IN her reply to an adverse report on the Gary schools made by a New York school superintendent, Mrs. Alice Barrows Fernandez has cleverly shown up some of the ideas that lurk in the background of the typical schoolman's mind. Administrating the democratic public school, he seems to be curiously class-conscious; manual and industrial training, he finds, are to be looked upon not as an essential part of a modern education, the basis of an acquaintance with the sciences and techniques of our machine age, but as a favor to be granted to those children of the poorer classes whom circumstance will force to spend all their lives in mill and factory. The superintendent and those he represents talk just as if they believed that the school should divide children into those who need to learn only from books, and those who will need to learn also by doing and making things. Such a school philosophy does not get much beyond the old one of the state of slaves and philosophers, where each class is trained to its destined labor and level. What the Gary school seems most strongly to challenge is exactly this industrial caste-system which certain vocational policies now in favor seem likely to strengthen in the public schools. The superintendent to whom Mrs. Alice Barrows Fernandez replies is deeply concerned lest the schools under William Wirt's influence come to resemble mills and factories. It need only be said that when American mills and factories come to resemble the Gary schools, it will mean that we have solved many of our social and industrial problems.

INDUSTRIAL reform by education has been the achievement of the California Industrial Welfare Commission. The Commission was appointed to examine payrolls, the conditions under which women and minors were employed in mercantile establishments, laundries, manufacturing industries, and telephone and telegraph companies. The results testify to the excellence of their method. They invited the cooperation of employers, of organized labor and of individual employees. At conferences in San Francisco, Los Angeles, and Sacramento, representatives of the employers met the members of the commission, became acquainted in a new way with conditions in their industry, with the law, and with the policy of the commission, and were able to make suggestions and give assistance. The relations of the Commission with these men were cordial and without the taint of inquisition. Such information as the Commission required was gladly given. After the conferences many employers made investigations in their own establishments. The California Retail Drygoods Association at considerable expense made an investigation which includes practically all the large department stores in the state, and turned their material over to the commission. Individual employees willingly contributed schedules and budgets of great value in comparing wage scales with living expenditures. The information which the California Industrial Welfare Commission has accumulated during its investigations will be useful in framing minimum wage legislation; but more important is the education in industrial common decency which has induced many employers voluntarily to raise their minimum wage.

THE municipal university has the same excuse for existence as the public high school. Indeed it has more, for it is possible that of the families who send their children through the high school the greater part could afford to pay for this education, whereas few could pay for professional college training. The experience of the University of Cincinnati shows conclusively that without this municipal college at least two-thirds of the city students who sought professional training would have been deprived of it. Nor is the municipal college in any sense a philanthropy; President

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Dabney's far-sighted philosophy suggests momentous things for its future. The city provides not only a complete scientific and sociological laboratory but also, in its various departments and services, a professional life into which the student should graduate. From this point of view the municipal college becomes the indispensable preparation for city administrators and public servants. One way to end the rule of cities by professional politicians and their retainers would be to provide through the municipal university just such a trained body of citizens.

WHEN men die in mid-career, the preoccupying reality is the cruel accident of their extinction. The outstanding fact about Charles Frohman and Charles Klein at this moment is not that one was a really eminent producer and the other a most successful dramatist, but that both of them are dead, to the profound grief of their friends. In the loss of two other passengers on the Lusitania, however, the sense of destroyed potentialities is bound to be keen. Charles Klein was only eight years older than Justus Miles Forman, but the latter's work was still largely before him. So also was the work of Sir Hugh Lane. He had done inestimable service for Ireland in the cultivation of art. He gave Dublin its little municipal gallery, and he fought a hard fight to have a unique art museum established on a bridge across the Liffey. The needless sacrifice of any human life is tragic and almost inexplicable. In the case of men like these it is a definite subtraction from the best forces in our civilization.

A WRITER, says Robert W. Chambers, should not take himself too seriously. It is wholesome advice. No one, not even a bishop, or a chief justice, should take himself too seriously. That attitude should be left to the second footman on an automobile, the doorman of the Century Club, and the accomplished artist who twirls a wand in front of a brass band. But there is a difference between taking oneself seriously and taking one's work seriously. A chief justice is serious not because he is of a bilious temperament but because his office requires care. If Mr. Chambers means that a writer's career does not require a care equally as profound, he is a victim of comic-paper psychology. There is nothing about the preoccupation of literary men to justify complacent levity. Their function, rightly interpreted, is the most serious in the world. Had Mr. Chambers himself understood this, had he taken his own fine gifts responsibly, he would have done differently and vastly better.

Dealing With Germany

THE clear object of our dealings with Germany is to protect American lives. What Germany has already done cannot be undone; there is no reparation for slaughter, and as for the nation's honor—that cannot be impugned by the world's outlaw. The aim of our policy is to establish the safety of American life upon the seas. We ask no ceremonials from Germany; we want no legal hair-splitting; we desire one thing, and that is the concrete assurance that American citizens on any ship shall be free to go about their business without being murdered. Germany's right to sink ships carrying contraband we do not dispute. We insist simply that the right shall be exercised after warning has been given, and the safety of passengers and crew assured.

On Tuesday, four days after the crime, Germany of her own accord made the largest concession to neutral rights that she has made since the war began. She promised not to attack neutral ships without warning, and stated that "the most definite instructions have repeatedly been issued to German war vessels to avoid attacks on such ships under all circumstances." If these instructions were issued they were not obeyed, for Dutch, Norwegian and American ships have been attacked, and no repudiation has been made. If "the Imperial German Government has naturally no intention of causing to be attacked," the Imperial German Government has nevertheless permitted to be attacked, a very considerable number of neutral ships. And strangely enough the Imperial German Government said nothing about this slip between its intention and its performance until American lives were lost on an enemy's ship and the enormous anger of our people had reached the ears of the Imperial German Government. In other words, after the Lusitania crime, Germany states that she never intended to commit the crime of the Cushing and the Gulflight.

It is a very considerable retreat upon the part of the Imperial German Government, but it would have been more appropriate immediately before the attacks on neutral shipping, or at least immediately after the first Dutch vessel was torpedoed. It is supremely irrelevant to the Lusitania case. Coming at this time, the only interpretation we can put upon it is that Germany hopes to soften our anger by conceding something which has nothing to do with the issue. It is well that she has conceded it, but we need be under no illusion as to her motives.

The Imperial German Government is frightened. After acting for months upon the notion that America would never fight and would endure any-

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thing, German officials discover from the press of the last week that American opinion is aroused to a point where war is a very real possibility. They have seen at last that we are prepared to act, and they do not wish us to act. They know that our participation in the war would be a great addition to the strength of the Allies, perhaps the decisive element in the struggle.

Public opinion has at last spoken a language that the German bureaucracy understands. This is the meaning of the voluntary retreat. It clears up the most difficult point in the whole situation, for we know now that there are ways of enforcing neutral rights. We know that Germany was violating them as much as she dared, and no more. This knowledge makes it the duty and privilege of our government to act as the advocate of neutral interests, for its protests now have behind them a force which they lacked several months ago.

We have the power, and therefore the responsibility, of working for neutrals less happily placed than ourselves. Holland, Denmark, Norway, Sweden and Switzerland have suffered as much or more than we, but they are at the mercy of Germany. They do not dare to do what we can do. They may protest, but only under our leadership can they be organized for joint action. The initiative and real pressure must come from us, the most powerful people not at war, a people living on a territory secure from attack behind the defenses of the British navy and the battle line of Belgium and France. Germany's sudden humility to the neutrals is a sign that our anger revealed has brought some light to her rulers. Our government could not make a more serious mistake than to relieve Germany of all fear as to how we may act. If Germany is led to believe that nothing she can do will add us to the number of her enemies, we shall be misleading her, and actually inciting her to further wrong. The fear of our participation must remain a constant factor in German calculations.

And with that established we can try by every ingenuity, by every kind of generosity, to avoid war and safeguard American life. In our opinion the government should not now present anything in the nature of an ultimatum. It must express our feeling at the horror. It must ask for guarantees in the future. But it need not and should not draw the issue so sharply that Germany is compelled to offer a flat refusal or a flat acceptance. We do not want a verbal acknowledgement of a principle; we require the assurance that in fact American rights will be preserved.

Less than this we cannot ask. We do not care what evasion Germany uses, nor what she says in order to save her pride. What we must have is the definite assurance of safety for the future. If that is refused us, some action is required which will emphasize our intention and convey a threat. The most appropriate action would probably be the breaking off of diplomatic relations. Then we could afford to watch and wait. Germany would have time to realize that we were serious, and her people would have a chance to ponder whether the United States ought to be still further provoked.

If "frightfulness" continues even then, we shall have with entire deliberation to take another of the steps which emphasize our intention. It might seem best to summon Congress and appropriate money for the fleet. Or the government might take a survey of the factories capable of producing ammunition, and prepare plans for increasing the output vastly. All these steps are possible without an actual declaration of war, and they or something like them are no doubt under consideration.

The exact procedure is, of course, a matter for the administration to determine. But it is for public opinion to make itself articulate, and to crystallize its purpose about certain general principles. They are, to our thinking essentially these: that Germany must in fact abandon her submarine attacks on American lives; that the ultimate possibility of war must be pressed upon the attention of Germany; that every peaceful and semi-peaceful device should be exhausted before war is declared; that from now on each protest must be accompanied by definite action in case the substance of it is rejected; that the government should, in other words, have made up its mind, before each step in the negotiations, just what action it will take if Germany is obdurate.

We can afford to proceed slowly. No "military necessity" need stampede our diplomacy. We must if at all possible avoid war, or steps which make war inevitable. But we cannot afford merely to argue or to protest, for we are dealing with a nation deaf to words. We are in a situation where acceptance of one wrong merely means the preparation of another which is worse.

Hostages to Peace

IF war breaks out between America and Germany our citizens of German birth will side with America. Are German-Americans "with the President of the United States or the Emperor of Germany?" asks the New York *Mail*, and Mr. Herman Ridder of the New York *Staats Zeitung* replies, "We are with the President of the United States to the finish in all matters affecting national honor or national prestige."

This was of course to be expected. German writers and others have often spoken of the ten million Americans of German derivation as though

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they were a German asset, a force to be enrolled by Germany in a possible conflict against America. For German statesmen, however, to build on such a foundation would be as unwise as if they were to believe that English radicals would side with Germany in a war against England, or that German Socialists would support Russia in a war against Germany. All over the world we have seen the various social groups within nations coalesce as war became imminent, and in the United States we should similarly expect a coalescence of racial groups. German-Americans may stand with Germany against England, France and Russia, but not against America.

But though we are assured of a correct attitude on the part of German-Americans in the event of a war with Germany, such a conflict could not but prove a calamity for the United States. We should not lose the war. Our weight added to that of the Allies would certainly crush the great central empires. Nor would our loss be great in men nor disastrous in money. The damage we should suffer would be moral.

That damage would take the form of increased internal friction. For other nations war has often meant a strengthening of the national spirit; for us a war with any of the nations with which we are compounded would mean a weakening of that spirit. England issued from the conflict with Spain more unified. The struggle of the German states against France unified Germany. But because of its vast groups of citizens owing various allegiances, America could not carry on a war against any of the nations which have contributed to its growth without emphasizing differences and without inviting conflicts of ideals. Such a war would mean an internal strain, a crushing of sympathies, a creation of mutual hatreds. In a moral sense it would partake somewhat of the nature of a civil war.

Even today, while a pacific settlement seems probable, we find traces within America of growing racial cleavages. Our nine months of acrid discussion about the war has not made us a more closely knit people, and each new accusation, each new recrimination, increases the bitterness. We know of one good American who has given up his German baker because of the barbarity of Von Tirpitz, while another patriot, a university graduate, is already looking forward to the day when we shall intern all these wrong-headed "hyphenated Americans" who "talk too much." What is intolerance today would become persecution once war were declared. A few German fanatics would commit blundering crimes that would arouse antagonism against all people of German birth. A wall of suspicion would arise between German-Americans and men of other extraction. The qualities common to Americans would seem less important, while the qualities which divided Americans would be emphasized. All sects, whether religious or racial, cling closer the more they are assailed. An attack upon Germans and Germanism would awaken old racial instincts and allegiances, and make our German-American neighbors more German and less American, and the rest of us more anti-German and less American. There would be a shattering of ideals, friendships and loyalties. Even the enlistment of German-Americans on the American side would leave something to be desired, for we should be destroying a thing very precious if we forced our German neighbors abruptly to choose between Americanism and Germanism, instead of permitting the one ideal gradually to modify and finally to supplant the other in the course of the long years. A too sudden or peremptory conversion would be too much like a conversion by the sword.

In a very true sense the internal strife, however well concealed, which would result from a war with Germany would be the undoing of Americanization. For what we vaguely call Americanism is a gradual dawning of the sense that in the conditions of the new world, bad as some of these are, it is possible for nations which have been hostile for centuries to discover a basis of peace and union. Our immigrants have often realized more clearly than have our older stocks the essential unity of our nation, which is not one in the sense that Germany or France is one, but a nation of nations, a union of nations, as the United States is a union of states. Our immigrants have taught us, as we have also taught them, that to this fusion of races, to this slow synthesis, great moral values may be attached. By emphasizing the common quality of divergent races, by creating a sympathy for the nations from which we are sprung, we are preparing an American state of mind which holds out the hope of peace within our borders and peace without.

All this may seem highflown and far removed from the bickerings over the war which may be heard in all parts of the country. And yet in inviting to America all the nations of the world, in mating these races, in gradually assimilating them to a common type, we have given hostages to peace. We have made war with any of these racial groups a process directly opposed to the main development of American life. We have so progressed that a war against Germany, England or Italy is in a sense a war against ourselves. We are doing even more than this. By assembling these races, by the gradual creation of a common type which is tinged with the traditions of these constituent races, we are developing a nation which may to a degree act as an interpreter between the

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nations of Europe, a go-between for peace.

It has often been noted that America is one of the most pacific of the great nations. She does not need territory nor special privileges in any part of the world. This economic factor makes strongly for peace, but the racial factor is equally important. It is this compounding of the American out of innumerable European races that makes Americanism what it is, humanitarian, idealistic and pacific. Our theory of pacificism when applied to the world at large may still be rather amiably irrelevant, but when applied to America it is at least a check to over-hasty belligerent action. We shall fight Germany to the end if there is no other way out, but we shall not fight her if we can honorably avoid it. We shall refrain from fighting her not because of any material damage which she could inflict on us, not because of losses in men or money that we might incur, but because to fight Germany would be to interrupt the process of fusion which in America converts the sons of Germany and of Great Britain into indistinguishable Americans.

China Pays

CHINA has accepted the Japanese demands. The Japanese Embassy in Washington has seized the occasion to issue to the press a statement reviewing the course of the negotiations. It confirms the Chinese contention, not the Japanese declaration, as to the nature of the demands originally presented. The Japanese Embassy complains that the Chinese violated the secrecy to which they had been pledged. The question of veracity is not mentioned. The fact that the much discussed Group 5, regarding the appointment of Japanese advisers, the installation of Japanese police officials, the purchase of munitions of war from Japan or their manufacture under joint Japanese and Chinese control, has been laid on the table, so to speak, does not alter the situation. They are a matter of record. When the time comes, they will be enforced. Nor does the exact text of the demands that have been accepted make any material difference. Japan's political predominance in China has been established. It is asserted that the treaties of the others Powers with China have been and will be respected. The accuracy of this statement will be proved or disproved not by present argument, but by subsequent events.

Regarded from the ethical and human standpoint, Japan's action is a case of deliberate and undisguised aggression cynically conceived and cynically executed. Japan justifies her violation of China by declaring it essential to the preservation of peace in the Far East. China cannot protect herself from the other Powers. Her wealth and her intervertebrate government Japan considers an invitation to future aggression. Japan is right. To forestall such aggression she has, by threatening war, made a point of her own benevolent guardianship. Her action is in no wise comparable to the American control in the Philippines, nor to our intervention in Cuba, in Nicaragua or in Santo Domingo. Our aim in each case has been to establish peace and order, to enable a distressed people to rid themselves of oppression, and to retire, once they have proven their capacity for self-government. Japan is actuated by no such desire. She frankly anticipates the profits of exploitation.

The economic results of Japanese tutelage may well be beneficial. Business in China should grow apace. Taxation will be more equitable, justice will be better administered than heretofore. In Korea we may see the excellent results of Japanese rule. The people have been better off than under their own incompetent and corrupt officials. Until her protectorate was established, Japan oppressed the Koreans and hampered and interfered with foreign enterprise. Since her control has been unquestioned she has made every effort to increase the trade of the peninsula by encouraging foreign commerce. When Japanese overlordship in China is assured we shall doubtless witness the same endeavor to obtain foreign assistance in the development of the country.

From a business point of view Japan's action will probably prove an advantage to the people of China and to international commerce. It is well to find virtue in necessity. We can and will do nothing to relieve her present situation. The interests which Mr. Bryan says will not be affected by the difference between the "two empires" will probably prosper. We can shrug our shoulders and contemplate the commercial future. We should be in a more comfortable position, however, if we had been less specific in claiming credit for enunciating the policy of the "open door," thereby leading certain misguided Chinese patriots to take our professions at their face and not at their rhetorical value.

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Shall the Judges Make the Laws?

WHETHER because of the general overturning of ordinary interests brought about by the European conflagration, or for some other reason, the recent controversy about the recall of judges and judicial decisions seems to have disappeared. The leaders of the American bar, however, claim to have settled the matter by a campaign of education. The keynote of this campaign was sounded a few years ago by Senator Root when he urged that the public be educated to an appreciation of the true function of the courts, which he expressed as follows: "It is not within the judge's function or within his power to enlarge, or improve, or change the law."

This theory as to the proper function of the courts seems to have found almost universal popular acceptance. We find supposed ultra-radicals like Brooks Adams subscribing to it as piously as do conservative judges. Nevertheless this theory, according to which the judge is a sort of impersonal phonograph through whom the law speaks, is only a fiction. If judges never make any law, how could the whole body of rules known as the common law ever have originated or have undergone the changes which it has undergone? The whole history of the common law from the most ancient times to our own day is a history of the continuous creation and modification of the law through judicial decision. Indeed, so long as life is continually developing new and unforeseeable situations, how can the law remain in force unless it is changed to suit the new cases? And not only the common law but a good deal that passes as statute law is judge-made. From the days of the Statute De Donis, the Statute of Uses, the Statute of Frauds, down to the Sherman anti-trust law, it has been the court's interpretation that has constituted the real law on the subject rather than what the legislature actually intended. If legislatures were omniscient, if they could foresee all the possible situations that can arise under a given act and frame unambiguous directions to the judge as to what he should rule in every case, there would be sense in the theory that the judge has nothing to do with making the statute law. Under actual conditions, however, the court cannot turn away parties before it by resorting to some such speech as the following: "Gentlemen, the case you present involves some novel points. The law as a human institution has not foreseen your case and has made no provision for it. Hence I cannot give you its judgment. Go to the legislature and have a new law on the subject enacted." Such a decision would tend to throw us back into a state of lawlessness. Hence judges must, and always have, in fact, exercised a power of supplementary legislation.

The lawmaking function of the courts appears most clearly in what is known as constitutional law. Who has made the vast body of law known as the police power of the states, if not the courts? The term police power does not occur in any of our constitutions. It is a term of admittedly vague connotation, invented by our courts to cover the inadequacy of the old individualistic theory of natural rights. Where a consistent application of the latter theory would cause a too violent repression of state activity, the police power is invoked as a sort of safety valve to allow all sorts of exceptions which appeal to our courts as necessary or sound public policy. One can, of course, quote many court decisions which assert that public policy is a matter for the legislature to determine; but the yearly crop of decisions declaring various statutes unconstitutional contains overwhelming evidence that the judges' own opinion as to what is for the public good is a decisive factor.

There have not been wanting keen and honest minds in the legal profession who have recognized this lawmaking function of our judiciary. But for the most part they defend this phonograph theory on the ground that it is a useful fiction. Now questions as to what is or is not useful are fortunately beyond my province. But I may note that any *consistent* departure from the truth is humanly impossible. In unguarded moments we all revert to the naked truth. Thus the apologists of our legal order frequently forget themselves and speak, as did the late Judge Hornblower, of how much better judge-made law is than the kind our legislatures grind out. What respectable lawyer is not ready at a moment's notice to defend the work of John Marshall in moulding or shaping the American constitution? Now it is certainly not conducive to a general respect for the law to have its honored votaries tell us that judges never make any law, and at the same time that they do it much better than our legislatures. In truth the fiction that judges never make any law meets its nemesis in the charge that all judge-made law is "usurpation."

More serious still is the fact that by means of this fiction judges are able to dodge their responsibility for making the law what it is. To make the law fit the complicated facts of modern life requires considerable expert knowledge. Judges as a rule are not experts in every technical matter that comes before them. Nor have they even the power

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of calling on experts to advise them. They must rely on whatever knowledge they can extract from two lawyers, who may not themselves be in possession of expert first-hand information on the subject matter.

We simply blink at the situation when we allow courts to say, as they did in the Ives case, that they are enforcing the law and have nothing to do with social, economic or political science. It is true only that they refuse to accept the newer social theories. Their decisions abound in all sorts of ancient theories as to the value of competition, freedom of contract, etc. Indeed it is logically impossible to pass judgment on complicated social questions such as railway rates, trade disputes, and the like without making all sorts of assumptions as to what is for the public good. The issue is not between a fixed law and changing social theories, but between ancient theories unconsciously assumed and modern theories carefully examined and scientifically tested. Thus in the Ives case, the decision rested on the assumption that the compensation law would take away property from the employer. This was an assumption as to its economic effect which trained economists stoutly denied. In the Lochner case the majority of the Supreme Court put their own opinion as to whether baking is an especially hazardous trade against expert testimony to the contrary. I do not know what personal experience or knowledge Justice Peckham had of bakeries, but in general it is hard to see anything about a judge's training or experience that makes him specially qualified to pass on all possible questions. When one reads the majority opinion in the recent Kansas case, one rubs his eyes and asks if these judges know that the old bargain and barter economy has disappeared from our large industries. Justice Pitney speaks of the labor "contract" and the equality of rights between the employer and employee, as if they were two farmers swapping horses. But to speak of the laborer making a free bargain or contract with a railway company is to do violence to well-known facts. Laborers have nothing to say as to the terms of their contract. They are glad to obtain jobs under conditions prescribed by the companies (except where their trade union is all-powerful). At least the official testimony before the Industrial Commission indicates that fact. Moreover, common experience seems to indicate that the terms under which men are employed on railroads vitally affects the public at large. If the judges knew that, how could they conceive of an absolute right of railways to discharge their employees for any or no reason?

We let arbitrators who are more or less specialists sit for months to determine a single case. Yet we expect judges, with long calendars of all sorts of cases, without power to initiate inquiry and without power to call in experts to advise them, to settle all such matters satisfactorily. In ancient times it was comparatively easy for the court to take judicial notice of the established religion, the established Aristotelian philosophy, and various established customs of the realm; but now the various matters that the law tries to regulate are objects of expert study, and these studies are making such rapid progress that only experts can competently keep up with them. Hence when courts, relying on ancient theories about the nature of government, the value of free contracts, the nature of private property, etc., assume these theories as true, they become the object of ridicule on the part of those who for good reasons have abandoned the ancient views. Doubtless modern students of social science would be the last to claim finality for the latest views, but the latest views certainly represent the best available opinion, based on experience and special study. If matters like railway rates and labor disputes are not matters of special study, if any gentleman of the bench can pass on all of them, why in the name of vanishing reason do we support universities to train specialists in these subjects?

There is a theory mentioned by Marshall in the Dartmouth case and repeated ever since, that courts do not declare a statute unconstitutional unless it is so "beyond a rational doubt" (see e.g. Holden v. Hardy). But if this were true, all reasonable men acquainted with a constitution could tell whether a given statute is constitutional or not. When, however, a law prohibiting miners from working more than eight hours a day is constitutional, but one prohibiting bakers from working more than ten hours a day is unconstitutional, when a law prohibiting women from working at night is unconstitutional, but one prohibiting them from working more than ten hours a day in a steam laundry is constitutional, it would seem that reason is an artificial and inaccessible entity. The orthodox view requires the good citizen to denounce the incompetency of his legislature, and to scrutinize critically the acts of the executive; but he must at all times respect and reverence the judiciary. In consequence most people are quite prepared to accept the proposition that only judges can pass on what is reasonable. But when four judges of our highest court declare that a given law has a reasonable connection with the public health, and five say that no reasonable man can suppose that there is such a connection, one begins to doubt. Not only the reason but the sense of humor and courtesy of our judges thus appear of a peculiar transcendental variety.

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Doubtless a good deal may be said against any and every proposal to modify the existing power of the courts to nullify legislation. No practical measure is entirely free from difficulties, especially before it is tried. But the main arguments against the recall of judicial decisions have so far rested on the transparent fallacy that the judge is an irresponsible phonograph. The plea that in no other country may judges' decisions be reversed is not true. In England Parliament may and sometimes has, to the satisfaction of the nation, overruled the decision of its highest court. If instances of its doing so, as in the Scottish Church case, are not very frequent, it is because courts outside of this country have not such wide power of lawmaking. Our Supreme Court is, as our orthodox periodicals admit, a continuous constitutional convention, but there is no practical arrangement whereby the people may ratify or disapprove of the result of such constitution-making. The opponents of popular rule may perhaps be able to make out a much stronger case for the existing system if they abandon their untenable fiction and argue their case in the light of the actual merits of the social demands that are yearly thwarted by the judicial veto.

MORRIS R. COHEN.

Russian Defeat in the Carpathians

FEW of the larger military operations in the whole European struggle have been simpler to grasp than that in Galicia, which has at least temporarily ended Russian hope of entering Hungary, and which still threatens to compel a retirement from the whole line of Carpathian crests won with so much effort in April.

The Battle of Chancellorsville in the Civil War is an admirable parallel, despite the enormous extent of the later battlefield. In 1863 Hooker, aiming at Richmond, crossed the Rapidan and occupied a strong position south of this stream. His front was parallel to the Rapidan, but to protect his right flank he bent it back perpendicular to the main line and its extremity rested upon the river. While Hooker was preparing to resume the advance toward Richmond, Lee sent Jackson against the right flank, crumpled it up, almost destroyed it, and came within an ace of reaching the rear of the whole Union Army. The immediate consequence was the retreat of the Federal force across the Rapidan, the end of the advance on Richmond.

Look at any map, and it will be seen that the Russian line in Galicia conforms fairly exactly to the Union line at Chancellorsville. In place of the Rapidan there are the Carpathians, beyond which, on the Hungarian side of the Dukla Pass, the main force of the Russians was advancing when the present phase began. On their right flank the line was bent back from the mountains to the Vistula, for precisely the same purpose that Hooker bent his right to the Rapidan.

Against this flank the Austro-German forces, moving east from Cracow, delivered a terrific and successful blow, wholly reminiscent of the last stroke of "Stonewall" Jackson. When their advance began they were facing east along the Dunajec-Biala front, that is, west of the straight line these two rivers make coming down from the Carpathians to the Vistula. Behind this river line and to the east of it stood the Russians, covering the points where the railways cross the river Biala, the Lemberg-Cracow line at Tarnow, the Czernowitz-Neu Sandec line at Grybow. The distance between these two towns is less than twenty-five miles and it approximately measures the extent of the German front. A few miles south of Grybow the Russian front touched the Carpathians and went off at a right angle along the slopes of these heights for more than two hundred miles.

The purpose of German strategy was to break the Russian right flank from Tarnow to Grybow, move east behind the Russian forces in the Carpathian passes, cut them off and prevent their retreat by occupying the northern outlets of the passes in which they were engaged. The southern outlets were occupied by the Austrian armies defending Hungary. Could they be trapped thus, the Russian corps in the passes would have no choice but to surrender. But even if they were able to escape, they would have to abandon the invasion of Hungary, and the whole Carpathian campaign would go to ruin.

The one important detail to remember is that when they had forced the crossings of the Biala at Tarnow and Grybow, as they did about May first, the Austro-German forces were moving east in the rear of the main Russian front, cutting the line of retreat of the Russians on this front. Once the Biala line was forced, the whole Russian problem became one of holding back the advance of the victorious troops from Tarnow and Grybow until their own troops had won clear of the Dukla and Lupkow passes.

The attack on the Biala front began with a tremendous storm of artillery fire. Having occupied their lines for many months, the Russians were

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supposed to have fortified them too completely to make a frontal attack possible. Such an attack at Tuchow, between Tarnow and Grybow, had broken down disastrously several months before. The artillery having prepared the way, a terrific attack was made upon the forts and trenches.

This attack seems to have been made along the whole line from Tarnow to Grybow, but the results were varying. At Tarnow Russian resistance was maintained for more than a week. But about Grybow the Russians seem to have been surprised and promptly driven in some confusion, which later degenerated into a rout, eastward along the Czernowitz-Neu Sandec railroad line, which here follows the line where the Carpathians meet the Galician Plain. This disaster opened the whole rear of the Russians facing south in the mountains and endeavoring to enter Hungary.

In view of the possibility of just such an offensive as the Germans were now making, the Russians had prepared another line, behind the Dunajec-Biala line. In doing this they had made use of the Wisloka River, which like the Biala rises in the Carpathians. This stream follows a course parallel to the Biala-Dunajec and enters the Vistula some twenty miles below the Dunajec. The distance between the valleys of the two rivers is on the average between twenty and thirty miles. The points where the two railroads cross it were naturally the objectives of the advancing and retreating armies. Retreating from Grybow through Gorlice, the Russians reached the Wisloka line at Jaslo, closely pursued by the victorious Austro-Germans. By May eighth the Vienna announcements indicated that the Russians were at Jaslo and the Austro-Germans were attempting to force the passage of the river at this town, where the Czernowitz-Neu Sandec railway crosses the river. At the same time the northern wing of the Austro-Germans were nearing Bebitza, where the Lemberg-Cracow railway also crosses the Wisloka.

By this time it was plain the situation of the Russians in Dukla Pass was becoming critical. The northern end of this pass is only a dozen miles east of Jaslo; if the Austro-German forces could force the Wisloka line and occupy the northern end of the pass before the great army in the pass and in Hungary to the south of it could extricate itself, then a colossal disaster must follow. Russian bulletins on May eighth, which reported the surrounding of a division near Dukla, a town north and west of the northern entrance to the pass, suggested that this peril was imminent.

On the other hand, as a week had elapsed since the Russians had been defeated at the Biala, it seemed possible that the Russians, slow-moving as they notoriously are, might have managed to get back the mass of their troops in the Dukla. But a new danger was patent in this operation. If the troops in the pass retired too precipitately, they would uncover the whole Russian line facing west along the Wisloka, to attack from Austrian troops following the Russian forces in retreat from the Dukla. This would mean the destruction of the whole right flank, which had been heavily beaten in the recent days, and shaken by a retreat more or less precipitate.

As these lines are written, on May tenth, it is plain that the Russians have been badly defeated on the Dunajec-Biala front and driven east to the Wisloka, suffering heavy losses in material and in prisoners, which German sources estimate as above 70,000. It is equally plain that the offensive into Hungary by the Dukla Pass has been abandoned, and the Russians have been for several days racing back, leaving behind them more material and losing more prisoners. What remains in doubt is whether the retreat has been sufficiently rapid to permit the escape of the army in the Dukla from the envelopment threatened by the German forces advancing on the Wisloka front.

If the Russians are able to hold the line of the Wisloka, if Austro-German effort has exhausted itself with the struggle from the Biala to the Wisloka, the campaign promises to drop to a deadlock very promptly. In this case Russia will have escaped with the ruin of her Carpathian battle, but with relatively minor losses. But if the Wisloka line cannot be held, then the Russian retreat is likely to continue to the San, and Przemysl and Jaroslav will presently be attacked by the victorious Austro-German allies. This will mean the loss of all Western Galicia. The Russian armies in the Carpathians east of the Dukla in the Uzok and Beskid passes will also in their turn be exposed to the peril that overhangs that in the Dukla now.

Allowing for all exaggeration in Austrian and German bulletins, exaggeration defensible in view of the Italian situation, it is manifest that the Austro-Germans have already scored a tremendous advantage in Galicia. The invasion of Hungary has again been indefinitely postponed. A new disaster, comparable with that at the Mazurian Lakes, threatens the Russians in Galicia. Even if the Russian armies escape actual disaster, German high command—for the movement is plainly the work of German generals, executed in part at least by German soldiers—cannot be denied the same praise that Lodz and the Mazurian Lakes have earned for them. Their success is already equal to that of Lee at Chancellorsville; it may prove as great as the success Lee believed Jackson would have won had he escaped his fatal wound.

FRANK H. SIMONDS.

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In Justice to Judge Lindsey

IN American politics the very last resort of the scoundrel is the destruction of character. The latest and vilest of political undertakings in this line has been the campaign carried on in Colorado against Judge Ben Lindsey. The whole miserable story would deserve deep burial in oblivion were it not for the fact that rumors of it have spread throughout the East to the serious injury of Judge Lindsey's reputation.

The charges which his detractors formulated against him and filed with the grand jury or set in circulation through private channels are not all fit to print, but some of the milder ones may be set forth in order that the reader may, by the use of constructive imagination, read the remainder between the lines.

Judge Lindsey's enemies searched the prisons and other institutions for the criminal and demented, and announced that they had discovered some poor wretches ready to charge the judge with having nameless and shameless relations with them. They declared that he constantly tampered with the morals of the children who came under the jurisdiction of his court. They charged him with the high crime and misdemeanor of getting rich out of lecturing at $125 a night and hoarding his ill-gotten wealth. They brought charges foul and slanderous against his wife.

Some of these charges were laid before the grand jury. Others, for which not even the color of truth could be found, were reserved for private circulation to poison public opinion.

The reader has already cried "Unbelievable!" I would not believe it myself if I had not been in Denver, read the Denver newspapers, talked with a member of the grand jury and sat around in the hotels listening to the town gossip.

And why this campaign against Mr. Lindsey? I asked that question again and again without receiving the same answer twice. Some said that it was merely the work of a few obscure people who had personal grievances against the judge. Others remarked that there was some real anxiety about the morals of the juvenile court and that it was thought wise to run the charges to the ground. Still another held that the judge had brought it all on himself by attacking some of the *most* respectable citizens of Denver in his "Beast and the Jungle."

Failing to find a consistent explanation of the phenomenon, I put this question: "Do you think that we should have heard anything about Mr. Lindsey's morals if he had not attacked the utility corporations of Colorado?" This was the shot that penetrated the toughest bulwark of self-righteousness. Some to whom I put the question winced under it, but all of them, being men of honor, answered it in the negative.

The fact is, Judge Lindsey has committed the cardinal sin against American respectability. He has denounced thievery in high places, and openly sympathized with "dagoes and the scum of Europe" who work the mines of Colorado. Therefore he must be destroyed, and the surest way is not to attack his principles but his private character. Of course, all leading citizens of Denver will disclaim any connection with this campaign of vilification. It would be unjust and unfair to indict the whole city for complicity in this crime against decency. But it is a shame that so few have lifted their voices in stern protest against methods which are worthy of the gutter and should be driven out of American politics by all who respect the good name of their country.

Fortunately, in the case of Judge Lindsey, those who resorted to these tactics were crushed by their own instruments. Last February a member of the state legislature, W. W. Howland, was accused of receiving money on the floor of the house under suspicious circumstances. In March the messenger boy who delivered the money was caught, and Mr. Howland was forced to give an account of himself. After admitting that his first story about the affair was false, Mr. Howland testified that the money had in fact come from Dr. Mary Bates, head of the "Woman's Protective League," and was to be used by him to pay a female detective who had been employed to shadow Judge Lindsey and his court for the purpose of "getting something on them." When the legislative committee called Dr. Bates to explain, she testified that she had repeatedly sent money to Mr. Howland to be used for detective purposes, that she did not want the detective to know "where the money came from," and that she had planned a campaign to undermine the juvenile court. In the course of her testimony she admitted: "We did not get anything on the court, but if we had started last fall we might have accomplished something." (Report of the testimony in the Denver *Post,* March 13, 1915.) Mr. Howland was expelled from the legislature, and by the last account was awaiting the outcome of criminal charges.

Dr. Bates refused to state from what sources

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she had collected money to carry on her work for the "purification" of the juvenile court, but she said Mr. Howland and his wife were members of her "Woman's Protective League." The Denver *Post* of March thirteenth states that Mr. E. K. Whitehead, head of the State Humane Society, is also a member of this association. If the legislature had not been unfriendly to Judge Lindsey we might have had more detailed information relative to the funds and membership of this League founded for the noble purpose of "getting something on him."

A second stage in the gruesome business was reached when the boys who had been induced to make serious charges against Judge Lindsey in affidavits repudiated their statements and declared that they had been coerced into making them by enemies of the judge. The climax was the discovery of the utter falsity of the charges of a boy named Kelly who had sworn that Mr. Lindsey had committed an offense against him when he had been brought before the judge in the juvenile court. It was established that Judge Lindsey could prove by no less an authority than ex-President Roosevelt that he was in the East at the time the alleged offense was supposed to have been committed, and that it was another judge who had tried the youth in question. In fact, the boy declared that it was not Judge Lindsey against whom he had made the charges, but some other person.

Notwithstanding these developments, the enemies of Judge Lindsey, determined upon his destruction, pushed through the legislature measures abolishing the juvenile court and transferring the jurisdiction to another tribunal. Inasmuch as Mr. Lindsey's court was the only one affected, there could be little doubt that the real purpose of the law was the humiliation of the judge. Of course plenty of "judicial and administrative reasons" were forthcoming in support of the measures, but not many took refuge behind this sophistry in defending the action of the legislature. It required no penetrating observer to discover that the leading supporters of the law were among the captains in the campaign waged for the destruction of the judge's private character.

The conclusion of this tragedy (or comedy) in Denver politics took place on April twelfth, when the grand jury, which had spent many long days listening to the testimony against Judge Lindsey and sifting the charges and affidavits, reported a complete exoneration, and the Governor of the state, Mr. Carlson, a political opponent of Judge Lindsey, vetoed the act of the legislature abolishing his court. The grand jury declared: "We find upon thorough investigation of the charges against Judge Ben B. Lindsey that they are absolutely false and without foundation and have been made with the evident intention to injure him." With respect to the horrible charge that the judge had drawn his salary while away on lecture tours and allowed other judges to do his work, the grand jury found that "Judge Lindsey had paid the substitute judges from his private funds whenever substitute judges have been sitting for him." Not content with this exoneration, the grand jury went out of its way to condemn those who had engaged in the campaign of vituperation, and solemnly declared: "We are therefore of the opinion that the attacks made upon Judge Lindsey are unjust and unfair and deserve the severest censure and condemnation, and we desire to censure Dr. Mary E. Bates and E. K. Whitehead for circulating and publishing slanderous articles against Judge Ben B. Lindsey and the juvenile court."

In his courageous veto of the ripper bills, Governor Carlson, who has conducted himself with dignity under the most trying circumstances, said: "Ever since the juvenile court was created, Judge Ben B. Lindsey has been the judge presiding over it. He has been elected and re-elected several times by the people of Denver. If the people of Denver want him to be the judge of the court they should have him; if they do not want him they should elect some other person to the office."

To complete the poetic justice the grand jury has indicted for criminal libel one of the chief agents in this campaign of vilification, and he is now resting peacefully in jail. From his secluded quarters he announced to the press that he was "writing a book on Bible study, having nearly completed the second volume, which he started before the first because it was on the New Testament, which is more in demand than the other."

Out of this mess and tangle there have emerged certain significant conclusions, whatever may be the last word on Judge Lindsey's impeccability.

First, as long as Judge Lindsey was merely "good to the kids" and took no account of the underlying social and economic forces which brought them into his court, he was the recipient of most tender felicitations from respectability.

Second, when he attacked petty thieves who juggled printing and supply contracts, he was the idol of business men and was wined and dined by them.

Third, when he struck higher up at those who had grown rich by questionable operations in politics and finance, he became the object of suspicion and hatred, even though his worst enemy admits that "two-thirds of his book is true," a larger proportion of truth than most books may boast of.

Fourth, when to these offences against propriety

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the judge added open sympathy for the striking miners, his total destruction was required and vilification was the method.

Fifth, the action of the grand jury and the governor would seem to show that Colorado repudiates the assassination of private character for partisan ends and thereby sets an example to the rest of the country.

Sixth, respectable citizens of Colorado who have tolerated these methods or even secretly winked at them owe it to themselves to denounce openly all such base tactics, and when they differ from Judge Lindsey, to attack him on higher grounds of public policies and administrative efficiency.

Finally, leaving the merits of Judge Lindsey's case entirely out of account, right-thinking men and women should learn from this affair to smite with all their strength the viper that poisons by insinuation and inuendo for partisan ends. "Getting things on our enemies" is unworthy of all who care for this nation.

CHARLES A. BEARD.

Two Workers in the Vineyard

SUCH a dispensation as the recent demise upon the same day of the Right Reverend John Elliott Pontefract and the Reverend Dr. Arthur Hyssop, inevitably summons attention to such contrasts as existed between the lives of these two widely known and faithful servitors. Both equally consecrated to their high calling, they were yet a generation apart, not only in years but in outlook and temper. Would it not indeed be true to say of each that the church of his day produced no higher type? A consideration of their differing characters is therefore to the inquiring spirit in the highest degree instructive.

The illustrious public career of Bishop Pontefract began soon after he left the schools, when his great gloze upon the Pentateuch was published, but his vocation was clearly determined almost from infancy. "I never had a doubt," he tells us, in his autobiographical volumes, "What I Know."

Posterity will doubtless long continue to study the printed records of his thoughts. The volumes on the Pentateuch have never been superseded. Old Testament research was indeed his first love, and his famous dispute while still an undergraduate with Professor Kurzsichtig of Heidelberg on the Eschatology of the Babylonian Eunuch, was widely published in the ecclesiastical journals of the period. The celebrated "Inquirer's Guide or, Denial Refuted" has been translated into dozens of languages under the auspices of our Foreign Boards. It was during the early seventies that he published his most radical work, "Was the Pharaoh of the Exodus an Atheist?" and thereby started the long and strenuous theological controversy that was not ended until more than a decade later at the heresy trial of Dr. Hunter. In justice to the Bishop it should be noted that he took no part in that bitter dispute, and indeed did not seem to be especially interested in it save in his official capacity as one of the judges at the trial. "I gave them the truth," he was accustomed to say. "Let them fight it out in their own way." The saying was indicative of his whole nature, and his dictum, "Truth is unmistakable; why disagree?" uttered as he pronounced sentence, is still recalled.

Had Bishop Pontefract chosen to direct his energies toward political life rather than to the church, he would doubtless have achieved high fame as a statesman. He deeply admired the Constitution upon which our national liberties are based, and it was his opinion that God had caused it to be wrought in a perfection only equalled among all his works by the institution of the church. Sought for private counsel and advice by many men of great power in the nation, he was the intimate of Presidents Hayes and Arthur, both of whom he regarded as sharing with Washington and Lincoln the honor of being among our four greatest rulers. To be the "ghostly counselor" of two such men was, he declared, "enough honor for an humble churchman in one lifetime."

Although he held so exalted a place in the hierarchy of his calling, he delighted to live freely among his fellows; no man of his time was more sought as an after-dinner speaker, and his fine large presence graced many of the most brilliant assemblies in the metropolis. Always keenly interested in the upbuilding of his city, he officiated at the laying of cornerstones for many public buildings, and at the dedicatory exercises of many statues and fountains he made the chief address. Even had his office not demanded it, his kind, expansive nature would have given assistance to works of charity, and he often gracefully lent his presence at bazaars and other endeavors for the relief of the city's poor. "If an object is worthy, I help it," he would often say; "if it is not, I turn a deaf ear."

In pursuing thus steadfastly his course for what he believed was right, and careless of the opinions of men, Bishop Pontefract naturally occasioned some adverse criticism. Perhaps the most recent and well known of these animadversions was brought about by his views on prohibition, as evinced in his speech at the Metropolitan Club. "Good wine" he declared upon that occasion to be "often sustaining to man when taken in connection

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with the pleasures of the table." It is an instance of the man's high moral courage that he continued to espouse publicly a cause which had so many opponents among his own colleagues and supporters. "It is not alcohol but infidelity that is the root of all our modern evils," he was wont to say; and in his book "Infidelity, the Modern Moloch" he pursued this conviction to its conclusion through all the branches of our current life, from the lack of faith in the dictates of Biblical inspiration down to the lack of it toward our national Constitution, and from such doubt to the lack of confidence between man and man.

During the last years of his life there were brought to his attention certain political and social ailments which have occasioned instances of unrest in business, but he did not regard these as seriously as would a man of the younger generation. "It is lawbreaking," was his opinion; and in his last work, "The Appeal to Authority in Behalf of Capital Punishment," he sought to show that it was a softening of the fibre of our legal codes which had resulted in criminal manifestations.

Of the personal characteristics of Bishop Pontefract his familiars noted especially his great serenity of temper. One closely associated with him declares that she never saw him angry but once, and that was toward a person who had attacked the doctrine of Theopneustia. It was on plenary and verbal inspiration that his position was based. "If they attack it they attack me," he often declared, "for I rest upon it."

A man of simple habits, his favorite diversion, that of kite-flying, is well-known. Into this charming pastime he threw all the energy of his intense nature, so that in his hands the somewhat childlike sport was raised to the degree of an art. At his country seat he had hundreds of these objects, and upon a windy day it was not unusual to see the Bishop far afield with his hands full of strings leading up to the frail and sometimes invisible webs of his contrivance. For he was so skilled as to manipulate many at once. "I love it," he once informed the writer. "It makes me feel properly adjusted."

Such was the man, a priest and prelate but yet human; and it is through his human nature that we may best appreciate him.

It was to a new age and perhaps to a more vigorous one that Dr. Arthur Hyssop addressed himself; and the motto, "Be a Man," inscribed over the hearthstone of his study, is indicative of the lifelong bent of this earnest spirit. Born in 1870 of sturdy American parents, and ordained by the Rev. Henry van Dyke in 1895, he belonged wholly to the newer school of advanced churchmen.

"For a new age there must be new ideas," he once said to the writer; and it was these that he undertook to supply, not only for his own congregation but for whatever seeker might be found in the outside world. This extreme attitude he expressed both in words and deeds throughout his ministry, and it led him often to act in ways which provoked some criticism from more conservative quarters, and which would have still more troubled the good souls of generations now passed away. It is almost amusing to think of the horrified astonishment with which his forbears in the faith would have viewed his action of last December, when he took all the members of his Girls' and Boys' Bible Class to witness the great Broadway morality play, "Anything," upon which he afterwards preached his anniversary sermon. "I do not call it bravery," he replied to one who praised him for his courage. "It is mere faithfulness, for I felt that I owed it to my people to call their attention to that mighty drama and its female personification of Vice as a glorious allegory or similitude set as a warning against debauchery and kindred temptations of our civilization." His words at that time were a signal evidence of the broadmindedness of the man. It will be remembered that he took the same firm stand a number of years ago in favor of another play, "The Servant of the House." "I believe in inspiration," he boldly declared at that time, "and this play is its witness."

Not only to the theatre but also to the picture gallery and the public library did this eager servant look for aid in the great work to which it had pleased Providence to call him. "Every home should have its pictures," he was wont to say. Within his study there stood a statue executed by a Greek artist, and upon this object his eyes often rested. To the perusal of good books Dr. Hyssop looked also for assistance. "Our religious guidebooks are sufficient for us," he said in a recent sermon, "but the mind will have its playtime and its hours of world-adventure. It is then that the quality of our lay reading must be looked to lest we stray from the path." In such manner he would often begin to pay honor to some new and worthy work of the imagination. Upon his study table there always lay copies of "Ben-Hur" and of "The Other Wise Man." The Roycrofters' edition of Thackeray, presented to him by the choir of his previous charge, was one of the chief ornaments of his bachelor apartments.

Yet though he had this marked artistic tendency, Arthur Hyssop did not come to his appointed tasks in the workaday world veiled in the mists of fancy and of fairyland. In directing and raising the lowly and broken-hearted penitent he was a giant; and many are the stories told of his zest in this branch of the work in which his generous nature de-

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lighted to engage. In the visitation of the sick he excelled also, and his joyous kindly face and ready wit lighted many a chamber of the invalid and infirm.

From these ministrations he seemed to rise the more refreshed for his combat with evil in the outer world, a labor to which he always brought his characteristic radical influence. He was not only permanent chairman of the Billy Sunday Solicitation Committee, but he was also one of the first established pastors of this city to see and acknowledge the real though somewhat peculiar service of that splendid minister. Dr. Hyssop believed firmly that the Rev. Mr. Sunday had a work to do which no other man of his time could perform. "All hail and welcome to such an evangelist," was therefore the legend which he caused to be engraved upon the stationery of the committee, thereby awakening some antagonism among the older and more conservative members of his congregation.

No outline of the character of Arthur Hyssop would be complete which did not contain a note upon his great admiration and friendship for our Secretary of State, the Hon. W. J. Bryan. It was at Chautauqua, N.Y., where Dr. Hyssop spent all his vacations during the last decade that he first met the statesman. Mutual admiration and esteem slowly ripened into friendship. Though in the quality of their oratory they differed, Dr. Hyssop attending little to melody of style but much to emphasis, the Secretary employing both rhythm and assonance as a two-edged sword; yet at heart their spirits were linked in kinship. It was to Mr. Bryan that his friend dedicated this volume of collected sermons entitled "Willingness."

Thus anointing and being anointed upon all his ways out of a full heart, he established himself as a lamp for the guidance of others less fortunately endowed and for the stumbling children of this generation. How many are there left like him in this our land?—men of whom it may be said that they are living epistles, known and read of all men.

WALTER CUTHBERT HELPS.

Fit to Dine With Her

IT must have been because the room was a real room in a downtown club, and not a room on the stage, that the other men talked about Wiley just after he had gone instead of just before he came in. Wiley had had to leave early, before luncheon was over. He had a strong personality. His fluent conversation, especially when he got off business and on to other subjects, was strengthened with the strength of his personality. Many of the things he said were subtly gratifying to Mr. James P. Bemis, who thought he understood them more completely than any other member of the party.

At about this time of year Mr. Bemis always had forward-looking thoughts. He began to sketch those summer widowers' dinners and suppers with which it was his custom to brighten the months of his wife's absence. And often, when he had planned a supper that looked about right, his mind would turn to Mrs. Bemis with quickened tenderness. Wiley would be a good man to invite two or three times a summer. He would be the right man in the right place.

Something joggled Mr. Bemis out of his reverie. He woke up to what the other men were saying about Wiley. One voice, hearty and final, declared that Wiley sure had made good. Another voice, modulated, spoke these words: "Yes, Wiley has done very well by himself, very. He started a long way behind scratch, poor fellow. Why, at college I barely knew him." The discussion was closed by Mr. Bemis's contribution to it: "Wiley's all right in his way. I like him. I hope to see more of him. But when all's said and done, he isn't the kind of man you could ask to meet your wife at dinner."

While Mr. Bemis was walking back to his office the poetry of the spring day entered more deeply into his soul. Through half-shut eyes he examined the women he met. Most of them he merely brushed with his glance. That was all they deserved. Now and then, however, when he caught sight of what he was looking for, he gave her a stare that was knowing, cordial, a little derisive. She would do for one of those neat little dinners. Even when full approval was withheld, even when she was not quite worthy to sit at his right hand, Mr. Bemis did not always cross her off his list. She might do for Wiley.

In his office, where he lighted a slightly less expensive cigar than the one he had smoked after luncheon, Mr. Bemis signed the letters his stenographer brought him. They contained too many mistakes. She really wasn't an A1 stenographer. However, a man couldn't expect everything. She was the prettiest piece of goods he had had in his office for several years, even if she did mess up the simplest openings, like, "Confirming our conversation over the phone of yesterday." How would she take an invitation to dine and go to a roof garden? H'm. He had plenty of time to find out. No need to discharge her before autumn, anyway. Curious how a man's mind, once a man like Wiley starts it along certain lines, keeps going. Especially when summer is coming. That was a good thing he'd said about Wiley—not the kind of man you could take home to dine with your wife. It classed a man, a remark like that. When he got home he repeated it to Mrs. Bemis.

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That night, as it happened, the Bemises were dining out. It proved to be one of those large dinners where you have to talk all the time to the two persons next you. When they were seated Mr. Bemis inspected his wife's neighbors. One of them was safe, he thought. And in this he was right, for the man was a steady, quiet autobiographer, who entertained women with discourse about his new motor and the trouble he was having with his architect, who liked to show people over his place in the country and say to them: "What I mean to do here . . ." As for the man on Mrs. Bemis's left, Mr. Bemis was in doubt. He had never seen him before —didn't much like the look of him. He looked young and eager and lean, showed white teeth when he laughed, and lacked dignity. Named Brace, Mr. Bemis discovered by asking.

When dinner was well along, six courses up and three to go, as Mr. Bemis said humorously, he told one of the women next him a story. It was taken from a collection carefully made. The point of it, like the point of its chosen companions, was that no woman could take offense at it without showing she understood more than any pure-minded woman ought to understand. The telling of such tales, his eye on his hearer's face, was Mr. Bemis's sprightly way of making dinner less tedious. To-night the story's first hearer didn't get it. By insisting upon having the point explained she made Mr. Bemis feel a little foolish. His other neighbor, when his chance came to repeat the story, restored his self-respect by blushing slightly and looking confused.

The ladies being gone at last and the men alone at last, Mr. Bemis had himself introduced to Brace. When dining out Mr. Bemis never spoke to unknown guests until he had been introduced. He wanted to find out whether Brace was the kind of man it was all right for Mrs. Bemis to sit next to. The result of his inquiries was unsatisfactory. Brace, who had been talking eagerly, shut up after Mr. Bemis began to talk. His attention wandered. He seemed half asleep. Then a good idea occurred to Mr. Bemis. He brought in Wiley's name, which roused Brace to the pitch of calling Wiley a cad with brains. Mr. Bemis spoke for the defense. He praised Wiley up one side and down the other, guiding his eulogy so that it carried him to the desired close: "Of course I admit, with all his good points, that Wiley is hardly the kind of man you could ask to meet your wife at dinner." The third man in the group said he'd just as lief have his wife meet any man he liked to meet himself, and that anyway he didn't see why you should make any difference between your wife and your women friends. Mr. Bemis countered by a long explanation of his idea. His words had a peculiar effect upon Brace, who looked him in the eye and said: "The kind of man I wouldn't ask to meet my wife is the man who likes the kind of man he wouldn't ask to meet his wife at dinner." Then Brace jumped up and walked off.

Evidently stupider than he looked, Brace was. Mr. Bemis said so to the third man, who answered, "Oh, do you think so?" and smiled. Or perhaps Brace had meant to be offensive. Mr. Bemis wasn't sure. Anyway, whichever he was, Mr. Bemis resolved, as the men moved into the other room, to get even. He asked his hostess to introduce him to Mrs. Brace. But there wasn't any, it appeared. Brace was a bachelor. That explained a good deal, after all. No bachelor ever understood chivalry.

TWO COMMUNICATIONS

Vocational Education

SIR: Some of us school men, who have profound respect for the insight of Dr. Dewey where the underlying principles of social organization and of education are under discussion, are somewhat bewildered on reading the contributions which he has recently made to THE NEW REPUBLIC. Those of us who have been seeking to promote the development of sound vocational education in schools have become accustomed to the opposition of our academic brethren, who, perhaps unconsciously, still reflect the very ancient and very enduring lack of sympathy, and even the antipathy, of educated men towards common callings, "menial" pursuits and "dirty trades." We have even reconciled ourselves to the endless misrepresentations of numerous reactionaries and of the beneficiaries of vested educational interests and traditions. But to find Dr. Dewey apparently giving aid and comfort to the opponents of a broader, richer and more effective program of education, and apparently misapprehending the motives of many of those who advocate the extension of vocational education in schools designed for that purpose, is discouraging.

To many of us the questions of the so-called dual or unit control are not fundamental at all. The fundamental questions are, first, as to what constitutes sound pedagogic theories as to the aims and methods suited to vocational education in schools, and secondly, the most effective organization and administration of the means designed to realize them. There are fewer mysterious and uncertain features in vocational education, whether carried on by schools or by other agencies, when such education is rightly interpreted and defined, than in the fields of the so-called general or liberal education. Vocational education—not as carried on in schools, of course—is the oldest as well as even yet the most widely distributed form

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of education of all, since all grown men and women have always had vocations for which, with some measure of purposiveness, they have been trained in the home, the field, the workshop, the commercial establishment or on shipboard. Vocational education is, irreducibly and without unnecessary mystification, education for the pursuit of an occupation. In all stages of social development men have always sought, with more or less conscious method, to train their youth efficiently to follow a vocation—to hunt, fight, fish, farm, work metals, weave, bake, trade, transport, teach, heal, lead in worship or to govern. Vocational education is not all of education—never was that fact more clearly recognized than to-day; but vocational education at the right time and of the right kind is supremely important—and of that fact we have recently been in danger of losing sight. Hence questions as to what constitutes right vocational education, when and by whom it shall be given, and how it shall be effectively correlated with other forms of education, are just now of the greatest importance.

It has long been recognized that vocational education for many of the leading callings could no longer be successfully carried on by the historic methods of apprenticeship. Hence have appeared in succession vocational schools for the training of lawyers, theologians, military leaders, physicians, pharmacists, dentists, teachers, engineers, navigators, accountants, architects, telegraphers, stenographers and many others. Vocational schools for delinquents and for children without homes were organized many years ago by philanthropists. More recently the state itself has entered this field. In many of our cities far-sighted men have been active in establishing vocational trade schools as a means of extending educational opportunities.

Now, many of us have been forced, and often reluctantly, to the conclusion that if we are to have vocational education for the rank and file of our youth as well as for the favored classes, we shall be obliged to provide special vocational schools for this purpose, because the historic agencies of apprenticeship training have in most cases become less rather than more effective as means of sound vocational education. A few industries are indeed still so organized as to be able to give good vocational education, and it may be that as a result of movements now taking place others will readjust themselves so that in them workers can be assured of progressive development of their capacities.

But in general, modern economic conditions are such as to impair rather than enhance the capacity of employers to give satisfactory vocational training. The mobility of labor has enormously increased in the western world, and more particularly in America. Competition among the various units of a given industry has, with rare exceptions, become keener, and the success of a given employer is often dependent upon his ability to attract immigrant labor or to lure skilled workmen away from his competitors. American manufacturers have long been accustomed to await a supply of foremen and competent workmen from European countries. Western railroads by paying higher wages attract firemen, engineers and mechanics away from Eastern roads. The city employer tempts country-trained hands.

There are some indications that a wise cooperation among employers, now beginning to be manifested in certain fields, will soon remedy this condition of affairs. Already the printers of America have joined forces to establish vocational schools for their apprentices. Railroads are stealing workmen from each other far less than formerly, and some of them now systematically train their own workmen. A few large manufacturers have established successful schools for machinists. But it is not yet clear just how far this movement can be carried, in view of the competitive conditions still persisting in such fields as the building trades, the manufacture of textiles, the food-packing industries and numerous smaller lines of manufacture. It is hardly to be expected that government can effectively force all employers to cooperate in the important function of training workers.

The function of the state in this as in other fields of education is clear. The state should consider the good of the individual and the needs of society, and where private agencies cannot accomplish a desired end the collective action of the state must be enlisted for this purpose. This is fundamentally the reason why the various commonwealths of the United States now, in greater or less degree, assist such special forms of vocational education as engineering, agriculture and even law and medicine. Massachusetts, usually conservative as regards state support of higher schools, nevertheless maintains a free agricultural college, makes large contributions towards engineering education, and supports three schools designed for the training of leaders in the textile industries.

In the light of recent experience it cannot be successfully contended that the state is unable to establish and maintain successful vocational schools for the various trades, for farming, for home-making, and for the different commercial pursuits. The pedagogic problems to be encountered are doubtless many and difficult, and are made doubly so by the academic prepossessions of the men who are likely to be put in charge of these vocational schools. It is not yet clear how economically state-supported vocational education can be administered, nor is it in every case demonstrated that it is expedient, as a matter of social policy, to have the state or the nation support such schools. But the time has passed when the feasibility of such training could be questioned.

When and under what conditions a youth should be permitted to enter a vocational school is yet debatable. In Massachusetts the law carefully provides that a youth shall be eligible to enter a vocational school only at the time when he is equally eligible to leave the regular public schools and to become a factory or farm hand. The administrative theory under which Massachusetts vocational schools are being conducted assumes that the youth ready to embark on wage-earning who instead turns aside for a period in a vocational school, should be able to concentrate his efforts largely in learning the occupation selected. It is not desirable to blend so-called liberal and vocational education at this period, it being always within the possibilities of the youth to continue in the regular or general elementary or high school if he so elects.

It is sometimes asserted that vocational education given by schools under state support is beneficial chiefly to employers. It is incredible that men acquainted with the economic conditions of our time, the competition of employers for labor and the mobility of labor itself, should take this view. In every occupation in the country there

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is constant competition for superior ability, as is manifested in the varying wage rates usually found. The only sound point of view is to regard vocational education as being primarily of significance to the boys and girls concerned, and ultimately, of course, to society as a whole. If vocational education does not result in greater productive capacity and if greater productive capacity does not result in a larger share to the laborer, then, indeed, are the times very much out of joint.

The question of so-called dual versus unit control is merely one of securing the greatest efficiency. In most states we already have the dual control, if we wish so to style it, of our various special vocational schools of agriculture, industrial training for delinquents, etc. In point of fact there can be no such thing as ultimate dual control of any stated type of school, since administrative bodies must owe their creation to some single state agency, such as the legislature, the governor as authorized by the legislature, or local administrative agencies as created by legislative enactment. Such so-called dual control as one finds in Wisconsin or as it existed in Massachusetts from 1906 to 1910, simply represents an attempt to put in immediate charge of a special form of education a group of persons who are primarily interested in its successful development, and who may be able to bring it to the point of view of practical men in that field. Business men generally are suspicious of the so-called academic mind in connection with vocational education. They feel assured neither of the friendliness nor of the competency of our schoolmasters in developing sound industrial education. For that reason they often favor some form of partially separate control, at least at the outset of any new experiment.

If vocational education is to be successfully established in those states where academic tradition strongly persists, it may prove absolutely essential that some form of separate control should, at least temporarily, be inaugurated with a view to obtaining best results. School men, however well-intentioned, are apt to be impractical and to fail to appreciate actual conditions.

Some successful beginnings of vocational education of the kind discussed in this paper have been made in Massachusetts. The present stage of development would not have been reached if it had not been for the activities of the Commission on Industrial Education during the years 1906 to 1910. The ultimate merger of this body with the Board of Education may have represented what should happen in every state after particular forms of development have arrived at some degree of maturity.

DAVID SNEDDEN.

Boston, Mass.

Education vs. Trade-Training —Dr. Dewey's Reply

SIR: I have written unclearly indeed when Dr. Snedden interprets me as giving, even in appearance, "aid and comfort to the opponents of a broader, richer and more effective program of education," or else Dr. Snedden has himself fallen a victim to the ambiguity of the word vocational. I would go farther than he is apparently willing to go in holding that education should be vocational, but in the name of a genuinely vocational education I object to the identification of vocation with such trades as can be learned before the age of, say, eighteen or twenty; and to the identification of education with acquisition of specialized skill in the management of machines at the expense of an industrial intelligence based on science and a knowledge of social problems and conditions. I object to regarding as vocational education any training which does not have as its supreme regard the development of such intelligent initiative, ingenuity and executive capacity as shall make workers, as far as may be, the masters of their own industrial fate. I have my doubts about theological predestination, but at all events that dogma assigned predestinating power to an omniscient being; and I am utterly opposed to giving the power of social predestination, by means of narrow trade-training, to any group of fallible men no matter how well-intentioned they may be. Dr. Snedden has been fortunate if he has not met those who are not so well-intentioned, and if he is so situated that he believes that "the interests" are a myth of muckrakers and that none of "the interests" have any designs upon the control of educational machinery.

Dr. Snedden's criticisms of my articles seem to me couched in such general terms as not to touch their specific contentions. I argued that a separation of trade education and general education of youth has the inevitable tendency to make both kinds of training narrower, less significant and less effective than the schooling in which the material of traditional education is reorganized to utilize the industrial subject matter—active, scientific and social—of the present-day environment. Dr. Snedden would come nearer to meeting my points if he would indicate how such a separation is going to make education "broader, richer and more effective." If he will undertake this task there will be something specific to discuss. In order that the discussion may be really definite, I suggest that he tell the readers of THE NEW REPUBLIC what he thinks of the Gary system, and whether he thinks this system would have been possible in any of its significant features except by a mutual interpretation of the factors of general education and of industry. And as his article may be interpreted as an apology for the Cooley bill in Illinois, I should like to ask him whether he is familiar with the educational reorganization going on in Chicago, and whether he thinks that it would be helped or hindered if the Chicago schools came under a dual administration, with one agency looking after a traditional bookish education and another after a specific training for mechanical trades. I should like to know, too, how such educational cleavage is to be avoided unless each type of school extends its work to duplicate that of the other type.

Apart from light on such specific questions, I am regretfully forced to the conclusion that the difference between us is not so much narrowly educational as it is profoundly political and social. The kind of vocational education in which I am interested is not one which will "adapt" workers to the existing industrial regime; I am not sufficiently in love with the regime for that. It seems to me that the business of all who would not be educational time-servers is to resist every move in this direction, and to strive for a kind of vocational education which will first alter the existing industrial system, and ultimately transform it.

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I can readily understand how a practical administrator becomes impatient with the slowness of social processes and becomes eager for a short cut to desired results. He has a claim upon the sympathy of those who do not have to face the immediate problems. But as long as there are as many debatable questions as Dr. Snedden admits there are, and as long as conditions are as mobile as he indicates, it is surely well that those outside the immediate administrative field insist that particular moves having short-run issues in view be checked up by consideration of issues more fundamental although remoter.

JOHN DEWEY.

New York City.

CORRESPONDENCE

Advice to the President

SIR: We now know practically the whole story of the sinking of the Lusitania and the massacre of non-combatants, the disregard for the rights of neutrals, the affront to our nation which it involved. The question of the day is, "What are we going to do about it?"

The fact that a strong policy toward Mexico, and following that a declaration by our government of its just indignation at the violation of Belgium and a firm standing on our rights as neutrals during the earlier months of the war would probably have prevented the recent catastrophe is well recognized, but this realization is too late to help us now.

The country does not want war with Germany for a number of excellent reasons. We do not wish to become entangled in the European débâcle when portentous events are impending across the Pacific. We do not first and last want war with anybody. But we cannot just turn the other cheek. We have tried that in Mexico.

There seems to me but one thing for the President to do. Let him call Congress to a special session. Let him place before it the immediate and imperative necessity of the doubling of our army and the very material strengthening of our navy as soon as is physically possible. This more than anything else would be a clear indication to our over-zealous friends abroad that we mean to insist on the due recognition of the rights of our citizens.

In a time of stress such as is likely, it is essential that the President have the support of the entire country. Mr. Wilson will demand this, but the only way he can hope to receive it is by dismissing at once Mr. Bryan and Mr. Daniels and promptly filling their places—preferably as was done in France by men of other parties—by men in whom the people can have confidence. Mr. Root has held the portfolio of state with more credit than any man now living. Mr. Taft was an able and trusted Secretary of War. Yours for "Peace with Honour,"

ALFRED E. HAMILL.

Lake Forest, Ill.

From the College Pacifists

SIR: For some months I have been trying to answer the question regarding THE NEW REPUBLIC'S position which you have propounded in the editorial "Are We Militarists?" It is true that the pacifist movement has in the past been characterized by much emotional "shrieking at the sight of guns." Since most men, as most periodicals, pride themselves on being intensely practical, one still very justly hesitates to decide whether enlistment in the pacifist ranks is more a sign of moral courage or of mental feebleness. Therefore it is not strange that your own reply to the question you asked resolved itself simply into a definition of terms rather than a direct answer. Unfortunately you failed to push that definition quite far enough, and thus left yourself open to the "ugly charge" of being a militarist organ.

All pacifists deserving of the name will agree with you that peace is something more than the "vacuum created by the absence of war," that it "is a great construction of infinite complexity." The outstanding characteristic of the modern peace movement, of applied Norman Angellism, is the drop from the soaring heights of idealism to the sordid facts of ordinary economic life, a willingness to grapple with problems which are certain to soil one's hands. Its outstanding characteristic and driving force, however, remains its optimism, its freedom from the vice of looking backwards and presuming that because war has always been, therefore it must always be. Because of THE NEW REPUBLIC'S fundamental radicalism, shown by its faith in the power of human intelligence to alter human institutions whenever it can be clearly shown to be to our advantage to do so, we would welcome THE NEW REPUBLIC as a true pacifist publication.

On the constructive side we are heartily with you. But we inevitably balk at such a statement as that "the most dangerous possibility before us is a Presidential campaign fought on the lines of national defense," when the only alternative presented is to make an increase in our military strength. It was a failure to face this very question, a too great willingness of the masses of the German people to grant the imperial demands for increased armaments rather than force the question to an issue, which has been the essential cause of the present European war. It is merely a form of cowardice veiled under the mask of patriotism. Of course any attempt to draw comparisons between Germany and this country are very likely to defeat their own ends. Yet all those of us who have watched almost prayerfully during the past years the attempts of the social democrats to defeat the ever-increasing German war loans, or have listened with mingled hope and admiration to the single voice of Liebknecht, can hardly refrain from drawing the analogy in spite of the danger of misinterpretation.

While you define constructive "pacifism" admirably, you have apparently not yet grasped the most important practical aspect of "militarism," namely *laissez-faire*. To be a militarist is not necessarily to be an aggressive militarist; a militarist is one who, now and to-day, accepts force as the safest guarantee of a nation's rights, and in any dispute as to the adequacy of that force believes in a small increase for the army and navy.

It is certainly folly to oppose technical improvements and increases in military efficiency. But no pacifist can accept the statement that military increases are less dangerous than military agitation. The greatest obstacle in the way of the peace movement as a whole has been simple lethargy, the accepted belief that by having invested a considerable sum in armaments a nation was as prepared and as safe regarding all international relations as it was possible to be. Only at times of crisis, such as the present, have the people been aroused from this lethargy sufficiently to be much interested in any aspect of international relations. Doubtless they can be quieted by adopting, without "dangerous discussion," all the proposals which our military authorities make for our "adequate

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defense." Following all precedents, this would merely encourage the authorities to make still further demands; while the average citizen, thinking that this sop was a sufficient insurance for the time being, will sink back into his more immediate affairs. The greatest opportunity for exerting pressure for constructive peace, if it is ever to be exerted, will have been lost; and because he has spent even more on armament "insurance," the average citizen will feel even surer that he has adopted the best policy and cannot change.

Perhaps it is possible for some of us both to support increases in our military strength, merely to prevent a possibly serious political split, and at the same time to carry on constructive peace work. THE NEW REPUBLIC can perhaps ride two horses at once; the average man must choose carefully at the start and then stick to his choice.

ARTHUR FISHER.

Collegiate Anti-Militarism League
New York City.

Truth at Wisconsin

SIR: The editorial regarding the Wharton School in your issue of April seventeenth is extremely interesting. The situation you describe has an analogy in the present Wisconsin situation. Right now the state legislature is trying to pass legislation which will impose on the faculty of the University of Wisconsin "a particular brand of economic teaching which will receive a certificate of orthodoxy."

The ogre of certified orthodoxy has thrust its head above the surface in Wisconsin before, but never has it seemed so menacing to the University. Richard T. Ely, head of the department of economics, was "tried" for heterodoxy in 1896 but the case was "non-suited" by the investigating committee. Their report contained the following declaration:

> Whatever may be the limitations which trammel inquiry elsewhere, we believe that the great state University of Wisconsin should ever encourage that continual and fearless sifting and winnowing by which alone the truth can be found.

In 1910 the ogre again broke through in a violent attack on Professor Ross, accusing him of teaching and advocating Socialism. It was a glorious opportunity for the orthodox forces to make a smashing attack on an institution which was teaching so many uncomfortable truths. But again the attack failed. The Class of 1910, flushed with the enthusiasm following this repulse of the enemies of the University, decided to perpetuate the fine plea for freedom and truth quoted above. This excerpt from the Ely investigating committee report was chosen as its memorial, and was graven on a bronze tablet.

A place on the University campus was sought for this tablet, but the Board of Regents of the University refused to grant permission. For five years this permission has been withheld. The bronze tablet with its troublesome inscription lies in the dust of a University building basement. This memorial epitomizes the thing for which the University is now fighting. The Class of 1910 is making a determined effort to have its memorial placed on the campus at its Quinquennial Reunion this spring. The granting or withholding of consent may indicate whether the University will continue to be a great educational institution or will become merely the dispenser of a particular brand of certified orthodoxy.

MILTON J. BLAIR.

Chicago, Ill.

The Hymns We Sing

SIR: For four years I have been a member of a community which each day in the year except during Christmas, Easter, and summer vacations sings a hymn; and this hymn is taken from a volume containing 679 variations of a strikingly limited number of themes. I may add that the community of which I speak is a school community, that the boys who make up the school are weary of the endless repetition, that they are intensely critical of the literary merits of some of these hymns, and that even the religious and philosophical truths expressed are considered worn out.

To be more concrete: "Rise, crowned with light" is one of the more popular; yet many boys in the school know that the words of this hymn were written by Pope some time before the year 1744. Some wonder what possible connection the words:

> "The seas shall waste, the skies to smoke decay,
> Rocks fall to dust, and mountains melt away;"

or

> "See thy bright altars thronged with prostrate kings,
> While every land its joyous tribute brings,"

can have with the life about them.

Number 7 is also a favorite. This hymn ends with these lines:

> "The weary world is mouldering to decay,
> Its glories wane, its pageants fade away;
> In that last sunset when the stars shall fall," etc.

We are, you see, giving our youth the impression that the world is finished, that it is in the old age of its life, and that it is soon to enter a period of lunar decline. When the hymn:

> "I heard the sound of voices around a great white throne,
> With harpers harping on their harps, to him that sat thereon,"

is sung, there doubtless comes to every mind a picture of God in oriental fashion receiving the homage of mortals. Is this the proper food to feed adolescents? Even Victorianism should not have countenanced what each day we are forcing upon unwilling youth.

S. G.

Boston, Mass.

In Defense of Chesterton

SIR: In his interpretation of Mr. Cecil Chesterton's speech in Brooklyn under the auspices of the Society of Jesus, Mr. Wright is often wrong. Mr. Chesterton did not say that the intellectual processes are the same *in saecula saeculorum*. He merely suggested that it was rather unphilosophical to speak of thought as "modern." One might as well call thought pink.

Also, why "neo"-Catholics when referring to the Chestertons, Belloc, etc.? One believes what the Catholic Church teaches or one does not. In the former case one is a Catholic; in the latter a heretic. There is no possibility of subdividing Catholics into neo and just every-day Catholics in matters of faith. Any addition to the word Catholic makes nonsense of the term.

As to Mr. Wright's remark that none of the priests there present weighed less than 150 pounds—well, well, that dear old Protestant tradition about the obesity of the Catholic clergy dies hard. Still, I would for the sake of some of my clerical friends there present, bear witness that at least four of them near me on the platform could have hardly tipped the scales at 120.

LOUIS H. WETMORE.

New York City.

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VERSE

Ode in Time of Battle

IN mockery of the patient sky,
Too loudly and too long men cry,
"Pity the slain!" as if the soul
That has survived on earth could find
The withering of the flesh its goal.
From casements dim or undivined,
From some remote, aerial height,
The jubilant, resplendent dead
That need not to be comforted
Gaze down on us or pause in flight
To wonder why we cannot guess
Their radiant, new-found loveliness.
Of old in many a solitary wood,
On desolate uplands, in tempestuous places,
They knew the unbodied soul's beatitude,
Or on a windy mountain stood,
Where crowd the invisible pale faces,
And felt a passion of longing there
To change the body's mouthful of breath
For the fathomless, cool deeps of the air
And the wild, untrammeled flights of death.
Now swift as but the immortal soul can be,
In radiant, soaring companies they go up,
Unfading meteors, bright perpetually,
To gather trembling at the starry Cup,
And from its burnished circle drink
A lingering, deep draught of ecstasy.

Pity the slain? O rather pity those
In whom the unnourished soul from day to day
Weaker and ever weaker grows,
Dying at last, imprisoned in its clay!
They smile, these murderers of the soul, and thrive
In alleys and teeming streets, or lie at ease,
From palace windows peering languidly,
As little human as those images
That for a moment gleam and pass
Upon the surface of a looking-glass.
Pity the fallen armies? Better toll
Bells hollow-throated for the death of a soul
Flesh-coffined upon earth than trouble the slain
Who died for radiant causes, endured pain,
Turned upon beauty an averted face,
And perished in the love of an ideal
That's not to be bought in any market place.

Cross the lifeless hands aright,
The blood-stained locks in order lay,
Speak never of a useless fight,
But gaze a little silent space
On death's great dignity of face,
Then let the body crumble away
Deep hidden in the kindly ground,
With but the odorous dew for myrrh
To sweeten that still sepulchre.
Trouble it with no desolate sound,
Vex the flown spirit with no ominous bell,
Spoil not the rest this weary body has found;
Its little service it did well.
Within earth's fragrant breast are hid
The countless battles of old days;
And all the ungodly deeds men did,
Changed in earth's immemorial ways,
Forsake again the constraining tomb
To be reborn of beauty's womb,
To spring unsoiled in the divine
Deep silence of a woodland shrine,
Or at a hermit's threshold bloom.
Along the wild Thessalian slopes,
Where lay the bodies of slain men,
The earth renews her ancient hopes
In fields of dauntless cyclamen.
O even where men vainly fought,
With faithful hands she pours on us
The spikenard of consoling thought!
Since nature weeps not, be not sad.

If earth should reckon but the cost
Of all the unending grief she has had,
Of righteousness inglorious,
Of beauty spat upon and lost,
The hyacinth would never rise
To heal our eyes,
No songster ever sing aloud,
No rainbow ever mock the rain,
Nor any rising sun again
With saffron mantle a grey cloud.

DUDLEY POORE.

The Excavation

CLUSTERS of electric bulbs
Like giant chrysanthemums
Paint the black cavern
With streaks and blots
Of faded yellow.
In grotesque mimicry
The monstrous shadows
Ape each movement of the toiling men.
The stale, pungent odor of unpacked earth
Tickles the nostrils.
Through the wood-plank roof
The dull-booming rumble
Of scampering traffic
Trickles in—
But is swallowed up
By the harsh purr of the drill
As it bites frenziedly
Into the dogged rock.

And overhead, unseen,
A mountain of stone is kept upright
By a slender steel beam
And a theory.

MAX ENDICOFF.

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The Actor's Dilemma

TO have high principles is conceded to be important in life, but among actors, at any rate, it is equally important not to have the wrong high principles. It is nearly twenty years now since Bernard Shaw accused Mary Anderson of morality. "Mary Anderson is essentially a woman of principle, which the actress essentially is not." It was an effective but a bourgeois way of putting it. The great actress does not believe in the same principles as Mary Anderson, but she has principles of her own, principles by which Mary Anderson seemed immoral.

According to Shaw, the trouble with Mary Anderson was her refusal to let herself go. "The notion that all bravery, loyalty and self-respect depend on a lawless and fearless following of the affectionate impulses—which is the characteristic morality of the artist, especially the woman artist of the stage—is, to her, simple immorality." But the real trouble with Mary Anderson did not reside in her personal virtue. It resided in her attitude toward the projection of life on the stage.

A svelte figure may be beautiful, but a woman who is going to have a baby is a criminal if she aims to look slim. A natural complexion is the best complexion, but it is sickly in the glare of the footlights. Clean hands are desirable, but not in a coalheaver. Clean finger-nails are attractive, but for a sculptor they are not the first consideration. To attain the highest end in certain directions it may be essential to abandon some excellent conventions. It isn't rude for an invalid to stick out his tongue. It isn't impertinent for a masseur to slap the Pope on the back. A great deal of the trouble in this world comes from the effort to obey old traditions in the pursuit of a novel goal. It is admirable for actors to be men of principle, or for actresses to be women of principle, but in the degree that they subordinate acting to the conventions of another sphere or another condition they are the enemies of their art. And that they are prone to such treachery, especially in America, only the reverential will deny. In America especially there is a respectability that shapes our drama, rough-hew it how we may.

In my favorite handbook, "Etiquette for All Occasions," there occurs the following passage: "A word anent bathing suits. Why cannot a man wear a fairly decent garment when bathing, instead of the sleeveless, almost backless, garment that is now so generally affected? If a man cannot swim with a sleeve that covers his shoulder, he should give up bathing in company that includes women." The difficulty, you see, is not with the attitude toward the human form. It is nudity that is at fault, not at all the etiquettical attitude.

To bait respectability became a European convention some years ago, and I do not mean to echo that cant. But the more one studies America, the more evident seems the perverted notion of all art that persists in the heart of the country. The moral of any art is not inconsequential. There is a relation between art and conduct. But if there is a single thing that kills an art it is its direct observance of moral or didactic intention. For the very young it may be necessary that the moral be pointed. Platitude and truism may be as necessary for youth as milk and mush. But when people are mature they should be freemen in the city of life. Their morality should be in the air they breathe, not in the air other people have breathed. They should, so far as possible, be given the run of life—at their own peril, for their own honor and satisfaction. A nursery is an excellent place for a child. For a man it is a prison. And it is vicious to ask our artists to be nurserymen. In a thousand ways the moralists encroach upon art. In a thousand ways their solicitude about conduct intrudes on literature and the drama. It is for this reason that the writer, the artist and the actor must be prepared to array himself against custom. It is not that he disdains principle. It is merely that he has a different allegiance.

When an actor tries to keep his personality in line with the moral prejudices of his audience the result is a grotesque perversion. There are numerous women in America calling themselves actresses who, for example, decline to act "bad" women. The gospel according to life is the least of their ambitions. Theirs is the gospel according to Marc and Abe. They wish the public to respect them not as artists but as personalities. They wish to be regarded as nobly autobiographical. Instead of taking the contempt for their histrionic "badness" as the highest tribute to their art, they take it as a suspicion of their reputation. When the audience recoils from them, they feel personally deprecated. They do not realize that the robust actress should be as familiar with degrading realities as a priest is familiar with sin. They resent this assumption, though they are perfectly ready to admire a creator of cowards like Joseph Conrad or a specialist in cads like H. G. Wells.

Under an anaesthetic nuns are said to gabble of unmentionable horrors. This is certainly no discredit to nuns. However active moral censorship may be, every living being is aware of impulses he would rather not mention. To express these impulses is not, perhaps, the only way of dealing with them, but to pretend that they do not exist is to live as a liar and a fraud. It is a hypocrisy peculiarly unhealthy in an actor. The best actors come invariably out of societies where the whole of life is accepted and understood. And they have no more shame in acting out their knowledge of realities than a doctor has shame in probing disease or a lawyer shame in probing disgrace. Their art is a furnace great enough to transmute anything that man can do or be.

How pitifully weak the fire is, if the actor has his eye on the audience, is a matter of too frequent observation. In a recent modern comedy there was a satire on the henpecked husband. The actor who took the part was evidently unhappy in it, and when questioned about it revealed a monstrous confusion of mind. He was not taking his role as an actor. He was taking it as a man. It was his masculinity that was troubling him. He was a genuine red-blooded American and it distressed him, it pained his masculinity, to act as a henpecked husband.

When a man can be such a fool as this, the marvel is that he became an actor at all. High principles of masculinity are all right in their place, but they are a monstrosity in a comedian. His first business is to live down his private principles. To do this he must, as Shaw suggested, abandon many preconceptions of his bringing-up. He must free his mind.

The principles by which an artist lives are necessarily in conflict with the ordinary routine morality. But it is the duty of all who love art to stand by the artist in his revolt. To flout current morality is not the object. Very often current morality is the best morality for the majority. But a false uniformity is unfair to the artist, and it is this that has to be learned in America. It is not fair to ask the actor to serve ideals directly. It is his function to represent life. To ask him to be "regular" is to ask the night-worker to rise with the lark.

FRANCIS HACKETT.

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Books and Things

ABOUT twelve years ago Gilbert Murray published his first translations from Euripides—the "Hippolytus" and the "Bacchae." From time to time he has added others—the "Medea," the "Trojan Women," the "Electra," the "Iphigenia in Tauris," the "Rhesus." Now we have the "Alcestis," which has just been published in New York by the Oxford University Press, and may be bought for seventy-five cents. Rossetti has said, in the preface to his "Early Italian Poets": "The lifeblood of rhymed translation is this—that a good poem shall not be turned into a bad one. The only true motive for putting poetry into a fresh language must be to endow a fresh nation with one more possession of beauty." From these words it is easy to compile a description of Professor Murray's translations from Euripides. He has not turned good poems into bad ones. He has endowed English-speaking nations with one more possession of beauty. When he deals with Aristophanes' "Frogs" or with Sophocles' "Oedipus the King" the result is not nearly so happy. His sympathy with Euripides is special. It enables him to disturb us his readers. We are excited by the beauty of Euripides and by his thought, we are eager to understand him and his world and his way of looking at his world and judging its beliefs. We feel both the poetry and the excitingness. While Professor Murray thus does his age a noble service he also leaves, upon at least one of his readers, an impression that he would not have been a considerable poet if he had taken to writing what we call original verse.

In the saga which was familiar to fifth century Athens, and upon which Euripides worked his will, it was taken for granted that any prosperous man would let his wife save his life by dying for him if she were willing, and if the thing could be arranged. By the fifth century this saga had taken shape in two forms. Wilamowitz has reconstructed one of these—a lost poem which was once attributed to Hesiod. Pelias of Iolchos would give his daughter Alcestis in marriage to no man who could not yoke wild boars and lions to his car and make them draw it. Apollo, whose son Asclepios had taken to restoring the dead to life, and had been killed by Zeus, had killed the Cyclops who forged the thunderbolt. For this he was condemned to serve a mortal, Admetus of Pherae. Apollo helped Admetus to fulfil the conditions imposed by Pelias and thus to win Alcestis. Artemis, to whom Admetus had forgotten to sacrifice, required his death. Apollo persuaded her to let Admetus live if he could find a substitute. His parents refusing to die for him, Alcestis offered herself, died on the wedding day, and was sent back to life by the gods of the lower world. In a play by Phrynichus, an older contemporary of Aeschylus, Euripides had before him another form of the Alcestis story. It was by making the Three Fates drunk that Apollo obtained for Admetus freedom to live if a substitute could be found. Persephone did not of her own accord send Alcestis back to life. Heracles obtained this favor by going to the lower world, wrestling with Death and overcoming him.

Euripides treated this material freely. Asclepios disappears, except for one reference in the prologue, spoken by Apollo, and another in the first chorus. Of the struggle between Heracles and Death Euripides says only so much as is necessary to explain the restoration of Alcestis to life. The most significant change in the events themselves, according to Wilamowitz, was this: Alcestis, instead of dying on her wedding day, has lived long enough thereafter to bear Admetus two children, of whom the boy is old enough to feel the pain of losing her. She has lived for years knowing that she must die on the appointed day. After she has renounced life, time has been given her to learn the value of life. Euripides, says Wilamowitz, always tried to give his heroes an inner credibility. He therefore could not ignore the question of Admetus's conduct. On the contrary, he deliberately raised this question. Admetus is a representative of a landed aristocracy in the grand style. His position in Pherae encouraged him to regard his own life as one exceptionally worth saving. He has many likable traits. He is liked by such different characters as Heracles and Apollo. Wilamowitz says Euripides intended us to like Admetus well enough to think he deserved to have Alcestis brought him from the grave. Admitting that not everybody will agree with him, Wilamowitz believes Euripides has succeeded. Even Wilamowitz, however, doubts whether Admetus would have kept his promise not to marry again, and wishes he had said less, when he is hesitating to enter his empty house after the funeral, about the dust and disorder the loss of Alcestis will cause him, and more about their intimate life together. Upon the whole, Wilamowitz is easy on Admetus.

Professor Murray's comment is this: "Euripides seems to have taken positive pleasure in Admetus, much as Meredith did in his famous Egoist; but Euripides all through is kinder to his victim than Meredith is. True, Admetus is put to obvious shame, publicly and helplessly. The chorus make discreet comments upon him. The Handmaid is outspoken about him. One feels that Alcestis herself, for all her tender kindness, has seen through him. Finally, to make things quite clear, his old father fights him openly, tells him home-truth upon home-truth, tears away all his protective screens, and leaves his self-respect in tatters. It is a fearful ordeal for Admetus, and, after his first fury, he takes it well." With regard to this scene between Admetus and his father Wilamowitz's opinion is not very different. "I think that a careful reading of the play," Professor Murray goes on, "will show an almost continuous process of self-discovery and self-judgment in the mind of Admetus. He was a man who blinded himself with words and beautiful sentiments; but he was not thick-skinned or thick-witted. He was not a brute or a cynic. And I think he did learn his lesson . . . not completely and forever, but as well as most of us learn such lessons."

This comment, too, strikes me as a little overkind to Admetus. One of the first things he says, after he has "learned his lesson," is this:

> Behold, I count my wife's fate happier,
> Though all gainsay me, than mine own.

The Comic Spirit was visiting Euripides when he wrote those lines. Indeed, what I wonder at most of all, when I've finished this "Alcestis," is that the presence of so much poetry should have left the Comic Spirit so free a hand. I wonder, too, that the play has not suggested a comedy to some modern writer. A man who invites other people to die for him, who allows his wife to do so, and who returns from her funeral saying her lot is happier than his, is only an exaggeration of that egotism which is one of comedy's main subjects. Few egotists are ever shut up to just this sharp choice, but many of us do choose to let other people die, here a little and there a little, for our ego's sake.

P. L.

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Mr. Fletcher's Verse

Irradiations: Sand and Spray, by John Gould Fletcher. (The New Poetry Series.) Boston: Houghton Mifflin Co. $.75 net.

THE extraordinary variety of flowering in the poetry of the moment is one of the strongest reasons for believing that we are just crossing the threshold into a new poetic era. The close relation of a great deal of modern poetry to life has been much written about. The work in this direction of Masefield, Wilfrid Wilson Gibson, Robert Frost, and Edgar Lee Masters has received illuminating and sympathetic attention, but this is not the only, nor perhaps the most important, of present day poetic tendencies. Side by side with it goes another less easily understood, for which reason, undoubtedly, it has not been so immediately popular. I refer to the great awakening of the imaginative faculty as evidenced by some of our younger poets. After all, the final test of imaginative writing must be the vigor and scope of the imaginative force in it.

Poetry, luckily, is a realm of many mansions. But usually only one has seemed worthy of occupation at any given period. The odd thing about to-day is that two kinds of poetry are flourishing at the same moment. Not in the same men, it would be ridiculous to expect that; but in the same country and at the same time.

The country is America. Here on the one hand we have Mr. Masters, writing his "Spoon River Anthology" in a stark verse, so concentrated and held to its theme that many people refuse to consider it as verse at all. "It is prose," they declare, "ordinary prose, written in short lines." They are wrong. It is not prose. Write any of these poems down in prose and then read them aloud and they will instantly fall back into lines. What these critics miss in "Spoon River" is a sort of imaginative burgeoning over the theme, as it were. With all its excellent irony, all its courageous psychology, "Spoon River" has not that, neither have Robert Frost's poems that. For this burgeoning one must look to another group of American poets. To this group John Gould Fletcher belongs.

Mr. Fletcher's publishers tell us that his work is better known in England than in America. And the bibliography at the back of "Irradiations" puts five books to his credit. Literary wild-oats? Perhaps. But whatever these five volumes were which have not drifted across the Atlantic, "Irradiations" is the work of a mature poet, and one with a highly original style.

It is very difficult to classify these poems, even to describe them. Here is imagination only, the quintessence of it. Mr. Fletcher has a fertility and vigor which is wholly remarkable.

I can conceive of an unimaginative person saying that they can make neither head nor tail of these poems. I say that I can conceive of such a thing. But for me, and for many like me, they must stand as inspiring interpretations of moods. Possibly that is their best analysis: Mr. Fletcher's poems are moods, expressed in the terms of nature, plus a highly fanciful point of view. I admit that that confuses rather than explains, but Mr. Fletcher's poems have an organic quality which defies explanation. They are as refreshing as an October wind, and as elusive.

That is it. Go out on a windy autumn morning and try to describe the wind. It will slap you and push you, it will flap away in front of you, and scurry over the sky above you. You can feel all this, you can *experience* the wind, so to speak, but describe it you cannot. Well, Mr. Fletcher can. Does he do so by analogy? A little. Does he name things directly? Seldom. How does he do it? I do not know. I can show you, but I cannot define. This is a description of rain. "Description" is not the right word, of course; it is really an expressing of the effect of a rainy day upon him.

> Flickering of incessant rain
> On flashing pavements:
> Sudden scurry of umbrellas:
> Bending, recurved blossoms of the storm.

an absolutely original one, for the effect is got in a new

> The winds come clanging and clattering
> From long white highroads whipping in ribbons up summits:
> They strew upon the city gusty wafts of apple-blossom,
> And the rustling of innumerable translucent leaves.
>
> Uneven tinkling, the lazy rain
> Dripping from the eaves.

Could anything be better? We see the rain, we feel it, and we smell the earthiness which all spring rain has. The first three lines, with the flickering rain on the pavements and the scurrying umbrellas, are exact description, of course. But the "bending, recurved blossoms of the storm" is a wild imaginative flight. And how well it makes us see those round, shining umbrella-tops! The next line is straightforward poetry; "clanging" and "clattering" are good words for the wind. But what about it coming "whipping in ribbons up summits?" That is certainly not descriptive, unless we assume that the city is built upon a series of hilltops. No, it is another imaginative leap, and way. The "bending, recurved blossoms" is a new figure, but it is a figure, managed in the usual way. "Whipping in ribbons up summits" is not only a new figure, but a figure brought in in a perfectly new and startling manner.

The same thing is true of the next two lines, for obviously no apple-blossoms are really blown into the city from the distant orchards, but in this way the poet has got the earthy smell into his wind. The last two lines are a marvel of exact description, with the only adjective "lazy" to unite them to the imaginative treatment of the middle of the poem.

I have said enough, I think, to show Mr. Fletcher's unusual technique. But let us make no mistake, this is more than technique; it is a manner of seeing and feeling. I chose the rain poem because it was a simple one to use for illustration, but there are others which have a greater imaginative intensity. This is a day of whirling cloud-shadows:

> Over the roof-tops race the shadows of clouds;
> Like horses the shadows of clouds charge down the street.
>
> Whirlpools of purple and gold,
> Winds from the mountains of cinnebar,
> Lacquered mandarin moments, palanquins swaying and balancing
> Amid the vermilion pavilions, against the jade balustrades.
> Glint of the glittering wings of dragon-flies in the light:
> Silver filaments, golden flakes settling downwards,
> Rippling, quivering flutters, repulse and surrender,
> The sun broidered upon the rain,
> The rain rustling with the sun.
>
> Over the roof-tops race the shadows of clouds;
> Like horses the shadows of clouds charge down the street.

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What a movement that has! We get all the effect of horses galloping without the usual recourse to anapestic metre.

Mr. Fletcher's observation is very minute and exact. This is the more remarkable when we think how often he must have to subdue his imagination to let reality print itself upon him with the force which it does. He sees a sea-fog creeping up a river:

> In the grey skirts of the fog seamews skirl desolately,
> And flick like bits of paper propelled by a wind
> About the flabby sails of a departing ship
> Crawling slowly down the low reaches
> Of the river.

The poet must have watched the inconsequential flutterings of gulls about a boat very carefully to think of that simile of blown bits of paper.

Most of these poems are in "vers libre," which Mr. Fletcher is perfect master of. With rhymes he is not so much at home. His rhymes, or more exactly, his end-rhymes, are rarely significant, in fact they are often little better than an excrescence. It is strange that with so accomplished a technique along certain lines Mr. Fletcher should permit himself to print poems in which the rhyming is plainly elementary.

It is not surprising that a country so materially vivid as America should produce poems like "North of Boston," or "Spoon River." These are exact and masterful presentations of visible fact. It is extraordinary that American life to-day should have thrown up a poet capable of a piece of pure fancy like the following:

> The trees, like great jade elephants,
> Chained, stamp and shake 'neath the gadflies of the breeze;
> The trees lunge and plunge, unruly elephants:
> The clouds are their crimson howdah-canopies,
> The sunlight glints like the golden robe of a Shah.
> Would I were tossed on the wrinkled backs of those trees.

There are many others I should like to quote, particularly XXVIII, which is, perhaps, the finest poem in the book, but I have given enough to prove that in Mr. Fletcher America has produced a poet of a very high imaginative order.

Mr. Fletcher is at present concerned with beauty, the beauty of nature in all its manifestations. As Mr. Fletcher is still a young man it may be that the beauty of humanity will some day force itself upon him. But as his achievement stands in this volume, he shows himself possessed of an imaginative vigor which is very remarkable.

Mr. Fletcher has dedicated his book to me, and it is an honor which I greatly appreciate, but my opinion of Mr. Fletcher's work is too high for it to be silenced by a dedication. I imagine that it is only in America that friendship is considered to deaden the critical faculty.

AMY LOWELL.

The Failing Church

The Reconstruction of the Church, with Regard to its Message and Program, by Paul Moore Strayer. New York: The Macmillan Co. $1.50 net.

GOOD people who are trying to save the evangelical church in this country, undermined by theological doubt and by the social movements and philanthropic endeavors of the day, find themselves in a difficult position. From the pulpits is heard with increasing frequency the plea that the church deserves support because it is a valuable institution for society. What would your community be like without its churches? Would you bring up your children in a churchless town? And in this logic, churchman, business man, and sociologist can all concur.

But the necessary conclusion from this is that if the church is really as valuable to society as everybody thinks it is, then it ought to be supported by society as are the established churches of Europe. The urgency of "saving and reconstructing the church" is even greater there than it is in America, but you do not find any of that uneasy social interest which causes books like this of Mr. Strayer's to be written. For in Europe the church is magnificently safe, regardless of its rapidly dwindling tide of the faithful. It can remain changeless, for it is a parasite of government itself.

In this country, however, where exemption from taxation provides only a negative support, it must in a sense work for its living, and an increasing share of its energy must go into maintaining its prestige and its means of life. Unlike the established churches, it is genuinely jeopardized by any movement which tends to divert spiritual energy from organized religion. And since so large a part of the enthusiasm and idealism of the younger generation of the old Anglo-Saxon element which forms the fabric of the Protestant church in this country goes into social and philanthropic work, or even into radical and revolutionary movements, the church's only hope of being carried along by the coming generation lies in diverting back some of this escaping energy into its own activity. It can only do this by broadening its own field so as to seem to include these new human enthusiasms.

That this is the real economic interpretation of the growing social consciousness of the Protestant church in this country is betrayed by such books as Mr. Strayer's, where we see a labored and clumsy exegesis at work, piecing together religious motives and ideals with social motives and ideals, and clamping the machinery of philanthropy and community service to the old individualistic institutions of the church. The pastor of a prosperous upper middle-class church would naturally ignore the fact that this exposition has been made by much bolder spirits who have wanted to show the very identity of Christian and socialistic ideals. He, however, desires evidently that his church shall be "reconstructed" just so much as is necessary to call back the erring, but not so much as radically to alter its character.

This spiritual pusillanimity accounts for the extremely shadowy nature of his proposals. Much might be forgiven him if he wrote with passion, as one like Professor Rauschenbusch, who felt the spirit of ancient Hebrew prophecy. But this writer sounds as if he had scarcely more than caught out of the air the floating phrases of the day. Even "efficiency" shows its head among the other "social ideals." He has taken where he could find in all good faith and with a trustingly uncritical spirit.

Yet this "reconstruction," flimsy and innocently ignorant as it is of the economic situation and the role of the church, will probably be successful in doing just what it wants done. It will hold back or call back just enough of the idealistic or sentimental to keep its own equilibrium fairly maintained. The church will stretch its skin just enough to preserve its life, even if it never assumes the task that the more violent call upon it to perform—to take again its old prophetic role as the voice of the afflicted, the crier of vengeance upon the oppressors of the poor.

R. S. B.

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Spiritual Poverty

The Pillar of Salt, A Story of Married Life, by Horace W. C. Newte. New York: John Lane Company. $1.35 net.

THOSE who do not like marital jangles should avoid "The Pillar of Salt." The cold realism with which the discords and disagreements of Avice with her first and second husbands are recorded is blasting. It strikes a chill to the heart, especially the feminist heart. For though the suffragette types, like most of the other minor figures, are sheer caricature, though one may smile at the author's masculine implication that the "movement" is merely sexual sour-grapes, this anti-feminist document does contain much unpleasant truth. If women and life are as Theodore Dreiser portrays them in the suburbs of Chicago, then they are probably as Newte sees them in the suburbs of London. For that matter, one has only to go to the lunchroom of any New York department store to find hundreds of Avice's pretty, shallow, extravagant, romantic kind, women with no sense for the facts of life, and any number of unsatisfied desires. It is impossible to sympathize with the impeccable Leonard. Who would not desert such a patient prig? Yet it is certain that Avice in the material and spiritual poverty of her experiment with the mawkish Aubrey would indeed have looked back, like Lot's wife, when she saw Leonard whirling off from the theatre in a "motor landaulette," his arms about her child and his second wife. This may not be literature—the English grates as badly on the nerves as the wrangles—but it is life in the rough, a block from which a greater artist might have hewn a significant group of human figures.

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How Pierre Loti is Translated

On Life's By-Ways, by Pierre Loti, translated by Fred Rothwell. New York: The Macmillan Company, $1.25.

NEITHER the title-page nor the preface to this volume tells us that it is a translation of "Reflets sur la Sombre Route," published in 1899. This information should of course have been given. If the translator was afraid the book's age would keep down sales he was at liberty to translate a more recent book by Pierre Loti, or none. But he need not have been afraid of the date. About 1899 Pierre Loti was doing some of his best describing. "The Last Days of Pekin," for example, was written within a year or so of this book.

Mr. Rothwell's English is not translation English. It is idiomatic and easy to read. It is also banal and occasionally inaccurate. Take, for example, Pierre Loti's account of his first meeting with Alphonse Daudet, in the Luxembourg gardens: "At the outset I had offered him one of my Turkish cigarettes; no sooner did the thin grey smoke begin to curl upwards than he stood still, a distant look in his eyes as he said: 'What thoughts of the Orient are evoked by the scent of this fragrant weed.' " Is there any excuse in the French for such a phrase as "fragrant weed?" None whatever. Pierre Loti wrote: "Oh! dit-il, tout ce qui s'éveille d'Orient dans ma téte, rien qu'à l'odeur de cette fumée." Why did the translator turn "the smell of this smoke," or "the odor of this smoke," if you like that better, into "the scent of this fragrant weed?"

Suppose we try Mr. Rothwell on a bit from the description of Madrid, and put the original next his English:

Now and again, in scaling some height, Madrid appears in our rear; it is strange to look down upon that mighty capital lying at our feet, whilst all the time it is the easiest thing in the world to imagine oneself far away from the busy haunts of men; it makes one think of an Oriental city surrounded by the peaceful desert, and unpolluted by the grimy suburbs of Western cities.

De temps à autre, quand nous arrivons sur une hauteur, Madrid reparaît derrière nous, et c'est étrange de revoir surgir, là encore tout près, une grande capitale, quand on pouvait se croire au fond des campagnes perdues; cela fait songer à ces villes d'Orient qui n'ont point nos horribles banlieues de charbon et de ferraille, mais que le tranquille désert entoure.

"Surgir," which means something like "rising suddenly" or "springing up," is translated "lying." Nothing in the French justifies "it is the easiest thing in the world." Even "at the bottom of lost countrysides" or "deep in lost countrysides" would be nearer the French than "far away from the busy haunts of men," another rubber stamp, deserving to be placed with "the fragrant weed" and scrapped.

Nor can one make the faintest guess at the reason which led Mr. Rothwell to turn "which have not our horrible suburbs of coal and iron" into "unpolluted by the grimy suburbs of Western cities."

There is, however, one thing to be said for this translation. You cannot read it without feeling that you have been in the places described, and seen them with better eyes than your own.

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